

HAN UNIVERSITY
OF APPLIED SCIENCES

Student Charter

General Section

2019-2020 academic year

Please note:

This is an English translation of the Dutch HAN Student Charter. It is meant to provide information for non-Dutch speaking students and staff. In the event of different interpretations, it cannot be used to derive any rights. Only the Dutch text of the HAN Studentenstatuut 2019-2020 is legally binding.

Preface

In accordance with the law, HAN adopts and publishes a Student Charter. The charter consists of two sections, an institutional and a course-specific section. The institutional section, called the Student Charter, is a HAN-wide document for all HAN students. The course-specific section of the Student Charter has been given the title 'Degree Statute' (in Dutch: OpleidingsStatuut). The Education and Examination Regulations are part of this Degree Statute.

Student Charter

The Student Charter sets out what HAN students can expect from HAN and what HAN expects from them. This charter is a collection of all the rights and duties of students and the HAN facilities available for students. The charter furthermore contains an overview of the legal protection afforded to students. Provisions that relate to applying and enrolling for a degree course are included in the Enrolment Regulations.

Degree Statute

The course-specific section of the charter, the Degree Statute, describes the structure of the degree course and the support facilities. This statute provides information on the structure and provision of education, student facilities, personal tutoring services and the Education and Examination Regulations. The Education and Examination Regulations are therefore part of the Degree Statute.

Education and Examination Regulations

The law prescribes that each degree course or group of degree courses must record all information on the structure of a degree course in a set of regulations. These regulations are called the Education and Examination Regulations. The purpose of the Education and Examination Regulations is to provide clarity about the degree course. This includes information about the time-frame in which examiners are required to announce the results of exams and modular exams, the rules governing how exams and modular exams are reviewed, the study load, and the content of the curriculum.

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Chapter 1 GENERAL PROVISIONS

Article 1.1 Terms and definitions

1. The terms and definitions used in this charter are those set out in Appendix 1 of the Model Degree Statute: Terms and Definitions.
2. Additional definitions apply to several of the regulations appended to this charter.

Article 1.2 Contents of Student Charter

1. The Student Charter of HAN University of Applied Sciences contains the following:
 - a. an institutional section, containing a description of the rights and duties of HAN students, an overview of facilities available to students, an overview of the regulations aimed at protecting the rights of students and the HAN rules and disciplinary measures as defined in article 7.57h of the Higher Education and Research Act (in Dutch: *Wet op het Hoger Onderwijs en Wetenschappelijk Onderwijs*), hereafter referred to as the Act, and
 - b. a course-specific section (referred to as the degree statute), containing a description of the course structure, the supporting facilities that are available within the domain to which the degree course belongs, Education and Examination Regulations and a description of additional rules and procedures for each domain or course department.
2. This charter contains the following regulations as defined in the Act:
 - a. Appendixes 1 and 2 to this charter contain HAN rules and disciplinary measures as defined in Article 7.57h of the Act;
 - b. Appendix 5 to this charter contains regulations about financial support as defined in Article 7.51 of the Act;
 - c. Appendix 9 to this charter contains regulations as defined in article 7.63a of the Act;
 - d. Appendix 10 to this charter contains regulations as defined in article 7.60 of the Act.

Article 1.3 Adoption of the Student Charter

1. The Student Charter is adopted by:
 - a. the Executive Board, with the consent of the Participation Council, with regard to the institutional section and the framework of the course-specific section;
 - b. the Faculty Board, with the consent of the faculty council, with regard to the course-specific section that is not adopted by a body as referred to in subparagraph a;
 - c. the chair of the Programme Council of HAN Master Programmes (HMP), with the consent of the institute council, with regard to the course-specific section that is not adopted by a body as referred to in subparagraph a or b.
2. Contrary to the provision in article 1.3 paragraph 1 subparagraph a, the amounts and instalments as described in article 3.3 of the charter are revised on a yearly basis in accordance with the statutory tuition fees imposed by the Dutch Minister of Education, Culture and Science and the institutional tuition fees and level of the instalments set by the Executive Board, without such revisions requiring the explicit approval of the Executive Board.

Article 1.4 Publication of the Student Charter

1. Students enrolling at HAN for the first time will be given instructions on how to access the Student Charter on the HAN website.
2. All amendments made to the Student Charter are published on the HAN website.
3. The Student Charter that is available on the HAN website will be updated at least once a year.

Article 1.5 Obligation to present identification when exercising powers granted pursuant to the Student Charter

Employees exercising powers pursuant to this charter must present identification if requested to.

Chapter 2 HAN ORGANISATION

Article 2.1 Faculties, institutes, domains, Services Department

1. The HAN consists of the Faculty of Health and Social Studies; the Faculty of Education, the Faculty of Economics and Management and the Faculty of Engineering. Each faculty consists of one or more institutes. An institute consists of one or more course departments.
2. Education is provided in the form of degree courses.
3. The general HAN support services are incorporated in the Services Department.
4. A number of HAN Masters programmes have been incorporated in the interfaculty institute of HAN Master Programmes (HMP).

Article 2.2 Supervisory Board

The Supervisory Board supervises the policies of the Executive Board and the general affairs at HAN. The Supervisory Board acts in the interests of the objectives of the Stichting Hogeschool van Arnhem en Nijmegen (foundation of the HAN University of Applied Sciences). The Supervisory Board consists of seven members at most.

Article 2.3 Executive Board

The Executive Board constitutes the board of the Stichting Hogeschool van Arnhem en Nijmegen and the HAN institutional board as referred to in the Act. The Executive Board is responsible for managing HAN, coordinating the day-to-day affairs, setting the policies and supervising the performance of the faculty boards. The Executive Board consists of no more than three members.

Article 2.4 Faculty board

The faculty board is in charge of the day-to-day management of the faculty, which has been assigned powers by the Executive Board for this purpose. With due observance of HAN's policies, each faculty board defines its faculty's policies and manages the implementation of those policies. The faculty board is accountable to the Executive Board. The faculty board is usually made up of one person.

Article 2.5 Institute management

The institutes are managed by an institute management. The institute management manages and organises the institute and defines the institute's policies, which must reflect the policies of HAN and the policies of the faculty to which the institute belongs. The institute management is accountable to the faculty board. The institute management usually consists of one person.

Article 2.6 Participation Council

1. HAN has a participation council with 16 members. The Services Department, the separate faculties and the interfaculty institute of HMP all have a subcouncil. All subcouncils have 12 members, except for the institute council of HMP and the subcouncil of the Services Department. The HMP institute council has six members and the Services Department subcouncil has nine. Half of the members are elected directly from and by staff and the other half are elected directly from and by the students (with the exception of the Services Department subcouncil, which has no student members). The councils have the authority to discuss all matters concerning HAN with the Executive Board, all matters concerning the faculties with the faculty boards and all matters concerning HMP with the HMP Programme Council. They are also authorised to submit proposals and communicate their views. The Executive Board, the faculty boards and the HMP Programme Council are obliged to respond to the councils and provide substantiation for their responses.
2. Each student may vote for members of or stand for election in the participation council and the faculty council.

Article 2.7 Course Committee

1. Each HAN degree course or group of HAN degree courses has a course committee.
2. The course committees that jointly form a domain meet at least twice a year.
3. The Executive Board establishes the framework for the Degree Committee Regulations for each degree course or group of degree courses. The faculty director subsequently approves the Degree

Committee Regulations for each degree committee of each degree course or group of courses. These regulations are included in the Degree Statute.

Article 2.8 Board of Examiners

1. The faculty board will establish a board of examiners for each degree course or group of courses. The HMP Programme Council will establish a board of examiners for a number of Masters programmes or group of Masters programmes.
2. The board of examiners determines objectively and in an expert manner whether a student meets the conditions specified in the Education and Examination Regulations for the knowledge, insight and skills needed to obtain a degree.
3. The board of examiners adopts Board of Examiners Regulations for each degree course. These regulations are included in the Degree Statute.

Article 2.9 External supervisor

1. One or more external supervisors is appointed for each degree course or group of degree courses.
2. An external supervisor has the task of judging and/or monitoring the quality of the exam.
3. The tasks, competences and position of the external supervisors are explained in further detail in the regulations for external supervisors as set down by the faculty director.

Article 2.10 Facilitating student participation

Where possible, students should not suffer as a result of participating in activities of the participation council, the subcouncils or course committees. Course departments have the obligation to make every reasonable effort to offer flexible study opportunities to students who participate in the above activities and, if needed, make the necessary arrangements to provide a solution if these activities are in conflict with the study obligations of the participating students.

Chapter 3 APPLICATION, ENROLMENT AND TUITION FEES

Article 3.1 Registration and enrolment

The provisions on registration and enrolment are included in the Enrolment Regulations.

Article 3.2 Tuition fees

The provisions relating to the payment and restitution of tuition fees, as well as tuition-free board activities, can be found in the Enrolment Regulations.

Article 3.3 Tuition fees: amounts

1. A student is required to pay the statutory tuition fees or institutional tuition fees for each academic year he or she is enrolled in a degree course.
2. Full-time students are required to pay the statutory tuition fees. Part-time and work-study students are required to pay a part of the statutory tuition fees to be decided by HAN if they have not previously earned a Bachelors degree¹ or an Associate Degree and belong to the group of people as defined in article 2.2 of the 2000 Dutch Student Finance Act or who have Suriname nationality. The fees for the 2019-2020 academic year are as follows:

Full-time student	€ 2,083
Part-time student	€ 2,083
Work-study student	€ 2,083

A student enrolled after 2018-2019 for the first time in Dutch higher education for a Bachelors or Associate degree course and required to pay the statutory tuition fees € 1,041.00 and a student enrolled after 1 September 2018 for the second academic year of a degree course in education

	€ 1,041.00
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3. Examination fees for external students are € 2,083
4. Students who do not fall within the scope of paragraph 2 are required to pay institutional tuition fees. The fees for the 2019-2020 academic year are as follows:

¹ As stipulated in the Act and its implementing decree, this requirement does not apply to students enrolled for the first time for a degree course in the fields of education or health care.

Enrolments as of 2013-2014 low	€ 7,290
Enrolments as of 2013-2014 high	€ 8,540
Enrolments as of 2013-2014 top	€ 9,640
Enrolments 2012-2013 all degree courses	€ 7,000
Enrolments 2011-2012 all degree courses	€ 7,000
Enrolments 2010-2011 Arnhem Business School, Faculty of Education and Faculty of Health and Social Studies	€ 6,500
Enrolments 2010-2011 Faculty of Engineering	€ 6,250
Enrolments 2010-2011 Arnhem Business School, Faculty of Education and Faculty of Health and Social Studies	€ 3,950
Enrolments 2009-2010 Faculty of Engineering	€ 3,500
Enrolled for 2 nd degree course partly in parallel with the first course for which a degree has been obtained	€ 2,083
University Assistance Fund (UAF) students who do not meet the requirements of Article 7.45 paragraphs 1, 2 or 6 of the Act	€ 2,083
Part-time students with a non-EEA nationality who do not meet the requirements in article 7.45a paragraphs 1,2,3 or 6 of the Act but who do meet those of paragraph 1b (EEA nationality)	€ 4,355
5. The tuition fees for a module of 30 ECTS credits in a demand-funded degree course are:	€ 2,700
For students who meet article 2.2 of the Student Finance Act 2000	€ 3,250
For students who do not meet article 2.2 of the Student Finance Act 2000	€ 3,750
Part-time student who are issued a voucher of € 1,250 by the government as part of the demand-based funding experiment will have their tuition fees for a module of 30 ECTS credits reduced by the amount of the voucher.	
6. The fees determined by HAN will be announced well in advance of the start of the academic year.	
7. A student enrolled for a course after the start of an academic year will pay one twelfth of the annual tuition fees applicable to him or her for each full month remaining in the academic year.	

Chapter 4 RIGHTS STEMMING FROM ENROLMENT

Article 4.1 Rights

1. Enrolled students are entitled to participate in the education offered by all HAN faculties, unless they are exempt from paying the statutory tuition fees in accordance with the provisions relating to tuition-free board activities. Faculties may restrict access to their education if a particular course is subject to an intake restriction or if the available teaching capacity is limited. Intake restrictions must be included in the course-specific section of the Student Charter.
2. The external student has the right to take only those exams that are part of the degree course and has access to institutions and collections belonging to HAN, provided the institute director deems that this does not conflict with the nature or interest of the degree course.
3. Students are entitled to take regular examinations for the degree courses in which they are enrolled and to take part in examinations listed in the examination programme in the course-specific section of the Student Charter, unless they are exempt from paying the statutory tuition fees in accordance with the provisions relating to tuition-free board activities, or unless the board of examiners has denied that student participation in one or more examinations. The course department may decide that a student must have successfully completed one or more examinations before taking part in other examinations².
4. A student is entitled to access HAN's buildings and collections, unless such is deemed to be prohibited by the nature or interests of his or her studies. The faculty directors are authorised to restrict access to and use of laboratories, lecture halls or computer rooms in the event of capacity problems. Restrictions may never be such that it becomes impossible for enrolled students to make reasonable use of the facilities.
5. Students are entitled to use the services of a student counsellor.
6. Students are entitled to personal tutoring. Personal tutoring is described in more details in the course-specific section of the Student Charter.

² The units of study included in the EER must specify the admission requirements for students.

7. Students have voting rights as described in Article 2.6 paragraph 2 of this charter.
8. Students are entitled to complete a degree course, either at HAN or another university of applied sciences, if their course is discontinued at HAN.
9. Students are entitled to be awarded a degree as referred to in article 7.10a or 7.10b of the Act upon presentation of the diploma certificate.
10. The degree is awarded once the board of examiners has decided the student has passed the final assessment. The certificate is issued no later than the last day of the month following the month in which the student passed his or her final assessment unless the student has requested a deferral in accordance with article 8.14.4 of the EER. Students are deemed to have completed their degree course if they have successfully passed all examinations for the units of study that make up their degree course or the propaedeutic phase of the degree course, insofar as the board of examiners has not stipulated that the final assessment will also include an inquiry to be performed by the board, as referred to in article 7.10 paragraph 1 of the Act, and if there are final and formal records in HAN's computer systems stating that the student has passed all the examinations as described in the previous sentence.
11. Paragraphs 1, 6, 7, 8 and 9 of this article do not apply to external students.

Article 4.2 Unlawful use

A person who makes unlawful use of the education and examination facilities may be subject to a claim for compensation for damages. Unlawful use of teaching and examination facilities constitutes an offence and may lead to criminal prosecution, in addition to penalties pursuant to this charter.

Article 4.3 Procedural rules and rights

1. If a student fails to pay his or her tuition fees or instalments for the tuition fees:
 - a. the student will no longer be entitled to government-funded education and education facilities;
 - b. the student will no longer be entitled to the facilities for examinations;
 - c. HAN will not issue a student card or, if the student has been issued a student card, will block that card;
 - d. the student will no longer have access to IT facilities;
 - e. the student will no longer be entitled to the HAN's personal tutoring services;
 - f. the student will no longer be entitled to the HAN's personal tutoring services unless the student requires assistance to make a payment arrangement.
2. If a student fails to pay his or her tuition fees or instalments for the tuition fees, the presentation of his or her degree certificate will be postponed until the student has fulfilled all of his or her payment obligations.
3. Before the provisions set out in paragraph 1 enter into effect, the student will receive a payment reminder, in accordance with the reminder procedure for tuition fees, explaining the consequences of late payment and specifying a deadline by which the payment must be received.

Chapter 5 GENERAL AND SPECIAL FACILITIES FOR STUDENTS

Article 5.1 General

1. HAN students are entitled to use student facilities, such as student supervision from a personal tutor, the assistance of a student counsellor and study skills training, available at Insite HAN Study Success.
2. HAN students are entitled to use educational and faculty facilities, such as educational applications, IT facilities and sports facilities, available at Insite HAN Study facilities.
3. HAN students are entitled to use the University Library at Radboud University Nijmegen.
4. HAN students are entitled to the services of a student psychologist. The student psychologist can provide short-term care, individually or as a group, and may refer the student to an external care provider if he or she sees reason to do so.
5. HAN students may purchase a sports card, which allows them access to the facilities of Seneca (HAN's expertise centre for sports and health), the sport facilities in Arnhem and the sports facilities of Radboud University Nijmegen.
6. If there are special circumstances, the student can refer to the student counsellor.

Article 5.2 Students with a functional limitation

1. Students with a functional limitation are entitled to support and services.
2. The reason why HAN supports students with a functional limitation is threefold:
 - a. to optimise access to HAN education;
 - b. to prevent the students from falling behind in their studies;
 - c. to use resources efficiently and effectively.
3. All students, including those with a functional limitation, have access to the regular HAN tutoring system, and the personal tutor is the first point of contact for all students, including those with a functional limitation.
4. All students receive an email containing information about studying with a functional limitation when they apply to HAN. If prospective students expect that their functional limitation might affect their studies, they can ask for an intake interview. This intake will generally be held with the personal tutor or senior tutor. An appointment for the intake interview can be scheduled before or at the start of the degree course. This interview will not in any way affect an applicant's right to enrol as a HAN student.
5. The purpose of the meeting is to:
 - a. Assess the obstacles that the student or prospective student has come across in his or her studies so far. The prospective student should bring his or her file from his or her previous course along to the meeting if possible.
 - b. Give the student a clear picture of the nature of the degree course that he or she has chosen and the support that he or she can expect from HAN.
 - c. Give the course department a clear picture of the effect that the functional limitation may have on the student's studies.
 - d. Give a clear picture of the available options for the student and course department regarding the student's study track in the degree course, the facilities the student requires, the work placement and job perspectives (i.e. intake, transfer and graduation) and make agreements about these matters.
6. The procedure described below will follow after the interview:
 - a. If a student asks for non-standard facilities, the personal tutor or senior tutor will send the student's request to the institute board for approval on the student's behalf; if this request relates to exams and graduation projects, the personal tutor will send the request to the board of examiners. The institute board and/or board of examiners will take a decision in writing concerning the student's request.
 - b. If the student's request is granted, the personal tutor will record this in a contract or report. The student will receive a copy.
 - c. The student and the personal tutor/senior tutor will meet once a year to discuss whether the facilities are still suitable. If needed, modifications can be made. The student may also request a meeting at an earlier time.
7. Students who acquire a functional limitation during the course of their studies or students with a functional limitation who did not notify HAN about this limitation can make an appointment with the personal tutor/senior tutor. At that meeting, it will be decided what facilities the student requires or should have in order for that student to achieve a feasible curriculum. The meeting will follow the same format as the intake interview.
8. Students who as a result of their functional limitation are unable to complete their degree course in the period during which they receive a performance-related grant may apply for a year's extension for that grant, in accordance with article 5.6 paragraph 10 of the 2000 Student Finance Act. If they are unable to complete their degree course within the extended grant period referred to in the previous sentence, they can apply to the HAN Financial Support Fund for financial support.

Article 5.3 Refugee students and other students with a language limitation

1. In addition to general facilities, refugee students and students with a language limitation are entitled to use the support and facilities outlined in paragraph 6.
2. A student is considered a refugee student if they fulfil all of the following criteria:
 - the student has refugee status, forming the basis for an ongoing or completed asylum procedure;
 - and
 - the student has undertaken preparatory study (secondary school) abroad in a foreign language;
 - and
 - the student with a diploma awarded in a country other than the Netherlands has been admitted to

the HAN degree course based on (Nuffic) credential valuation and has passed the state examination NT2, programme II, or the student has been admitted to the HAN degree course based on a 21+ test and has passed the state examination NT2, programme II or the B2 test at Radboud University Nijmegen.

3. A student is considered a student with a language limitation if they meet all of the following criteria:
 - the student arrived recently in the Netherlands for reasons other than asylum; and
 - Dutch is not their native language; and
 - the student has obtained, in a country other than the Netherlands, a diploma that grants access to a HAN degree course, or the student has completed preparatory education in the Netherlands but has been living in the Netherlands for less than three years.
4. A student as defined in Article 5.3 paragraphs 2 and 3 who wishes to use the support and facilities should contact the student counsellor.
5. The student counsellor shall determine whether the student meets the criteria set out in Article 5.3 paragraphs 2 or 3 and provide the student with a statement of language limitation.
6. Students with a statement of language limitation are entitled to
 - 25% additional exam time and the use of an (unmarked) Dutch-optional language and/or optional language-Dutch dictionary during exams during the first two (in total) academic years of a Dutch-language higher professional degree course;
 - free use of language support at level Dutch C1 from De Taalkamer at HAN Study Success;
 - free use of training on personal development and study skills, such as that offered by HAN Study Success training and coaching;
7. Students as defined in the second paragraph are entitled to receive information, advice and support from the student counsellor in the first academic year, (if possible) at the start, after the first and after the third exam periods.

Article 5.4 Students with a sports career (elite athlete)

1. The provisions contained in article 5.4 paragraphs 2 to 10 apply to:
 - a. HAN students who have an elite athlete or talent status, as recognised by the Dutch Olympic Committee/Dutch Sports Federation (NOC/NSF);
 - b. HAN students regarded as elite athletes by the Elite Sport Coordinator at HAN³.
2. A student as defined in article 5.4 paragraph 1 who wishes to use the facilities as mentioned in article 5.4 paragraph 5 must apply to the HAN Elite Sport Coordinator.
3. The student as defined in Article 5.4 paragraph 1 who is considered a HAN elite athlete receives the HAN elite athlete declaration and an explanation of the elite athlete provisions from the HAN Elite Sport Coordinator.
4. If a student as referred to in article 5.4 paragraph 1 is eligible for facilities provided by NOC/NSF and/or his/her own sports association, he or she must first use these facilities before using the HAN facilities as defined in paragraph 5c.
5. The following provisions apply to students as referred to in article 5.4 paragraph 1:
 - a. Faculties have the obligation to make every reasonable effort to offer the students referred to in article 5.4 paragraph 1 flexible study opportunities, with each track involving individual agreements between the HAN elite athlete and the relevant degree course. Facilities that could be provided include the following: timetables suited to training times, adjustments to timetables or exam locations during competitions and training camps, alternative assignments in case of absence from mandatory lectures, facilities for distance education (e.g. recordings of lectures), the option of doing tutorials in other groups, etc.
 - b. Students referred to in article 3 paragraph 1 will meet with the HAN Elite Sport Coordinator once a year and will have the chance to take a number of workshops on balancing a sports career and studies.
 - c. Students as referred to in article 5.4 paragraph 1 who are unable to complete their degree

³ The coordination of elite sport at HAN University of Applied Sciences is the responsibility of HAN *Topsport Academie*. HAN Topsport Academy works closely with *Topsport Gelderland* which has been appointed by the NOC/NSF to coach and guide elite athletes and talented athletes with a recognised NOC/NSF status. *Topsport Gelderland* supports the decision whether a student who is studying at HAN is eligible for the HAN elite athlete provisions.

course during the period in which they are eligible for a performance-related grant may apply for financial aid from the HAN Financial Support Fund. Applications proceed through the student counsellor.

- d. Students as referred to in article 5.4 paragraph 1 may ask the HAN Elite Sport Coordinator for a HAN sports card free of charge and may use the fitness facilities provided by the Seneca sports medical centre at the Kapittelweg in Nijmegen. Applications proceed through the HAN Elite Sport Coordinator.
6. All actions resulting from the implementation of article 5.4 paragraph 5 fall under the responsibility of the relevant course department and thus rest first with the student's personal tutor or senior tutor. If a student asks for non-standard facilities, the personal tutor/senior tutor will send the student's request to the course coordinator for approval; if the request for nonstandard facilities relates to examinations and graduation projects, the personal tutor/senior tutor will send the request to the board of examiners. The course coordinator and/or board of examiners will take a decision in writing regarding the student's request.
7. Every year, the HAN Elite Sport Coordinator determines whether the student still qualifies for the status of elite athlete. The student takes the initiative for these meetings. Elite athlete sports cards remain valid for one year only. If necessary, the Elite Sport Coordinator, the student and the student's personal tutor or senior tutor will meet to discuss how to organise the curriculum in a way that accommodates the student's sports activities.
8. In the case of problems stemming from the sport itself, the course department and/or student can contact the HAN Elite Sport Coordinator.
9. If desired, a meeting can be organised between the HAN Elite Sport Coordinator, student and personal tutor or senior tutor about setting up the course in a sport-friendly manner.
10. A student who makes use of the facilities described in article 5.4 paragraph 5 agrees to be available for promotional HAN activities at least once a year. The precise nature of those activities will be determined in consultation with the student and the HAN Information Centre. The Elite Sport Coordinator may mediate between the HAN Information Centre and the student and offer advice on relevant promotional matters.

Article 5.5 Students with a Top Enterprise

1. Article 5.5 paragraphs 2 to 8 apply to HAN students who hold the status of 'top entrepreneur' based on the HAN Top Entrepreneurs Scheme, as awarded by the Top Entrepreneur Committee.
2. Students as defined in article 5.5 paragraph 1 who wish to make use of the facilities as referred to in article 5.5 paragraph 6 apply to the HAN Top Entrepreneurs Coordinator.
3. Top Entrepreneur status is available to students who have applied to the HAN programme for entrepreneurs <https://young-in-business.nl>, who meet the following criteria and who submit the necessary documents to this end:
 - a. enrolment in the Chamber of Commerce;
 - b. a VAT number or other proof of registration with the Tax and Customs Administration;
 - c. if applicable (depending upon the legal form), the statutes of the enterprise in the form of a notarial deed or the contracts signed for in relation to the establishment of the enterprise;
 - d. the enterprise must have existed for at least 12 months (subject to proof);
 - e. a solid business plan;
 - f. an existing customer portfolio consisting of at least three customers or,
 - g. in the case of product development, the presence of investments or credit facilities of at least € 2,500.00.
4. Students as defined in article 5.5 paragraph 1 who have been designated as HAN top entrepreneurs receive the HAN Top Entrepreneurs Certificate and instructions on the Top Entrepreneurs Scheme from the HAN Top Entrepreneurs Coordinator.
5. Students as defined in article 5.5 paragraph 1 with income from their enterprises must first draw upon this income before appealing to HAN facilities as defined in paragraph 6c.
6. The following provisions apply to students as defined in article 5.4 paragraph 1.
 - a. Facilities have the obligation to make every reasonable effort to provide students as defined in article 5.4 paragraph 1 with flexible education, with each track involving individual agreements between the HAN top entrepreneur and the relevant degree courses. Facilities that could be provided include the following: alternative assignments or timetable adjustments in case of absence from mandatory lectures or missed examinations; adjustments in the organisation

and scheduling of group assignments; the option of attending lectures or practicals in other groups; or doing all or part of the work placement in the student's own company, on the condition that the company corresponds to the student's chosen discipline.

- b. If possible, students as defined in article 5.5 paragraph 1 may receive supervision from a coach/mentor from the HAN Centre for Valorisation and Entrepreneurship or from an external coach/mentor.
 - c. Students as defined in article 5.5 paragraph 1 who are not able to pass the final assessment of the degree course within the period of the performance-related grant may apply for financial support from the HAN Financial Support Fund. Applications proceed through the student counsellor.
 - d. Students as defined in article 5.5 paragraph 1 may use the available network locations or flex-work spaces (subject to availability). Requests proceed through the HAN Top Entrepreneurs Coordinator.
7. All actions emerging from the implementation of article 5.5 paragraph 6 fall under the responsibility of the relevant degree course and thus in the first instance under the responsibility of the student's personal tutor/senior tutor. If a student asks for non-standard facilities, the student's personal tutor/senior tutor will submit the student's request to the course coordinator for approval and, in the case of exams and assessments, to the board of examiners for approval. The course coordinator and/or board of examiners will take a decision in writing concerning the student's request.
 8. Each year, the HAN Top Entrepreneurs Coordinator determines whether the status of Top Entrepreneur is still applicable. The initiative for this discussion rests with the student. The HAN Top Entrepreneurs Certificate is valid for one academic year.
 9. In the event of problems stemming from the entrepreneurial activities, the degree course and/or student may contact the HAN Top Entrepreneurs Coordinator.

CHAPTER 6 EDUCATION

Article 6.1 General

1. HAN courses are taught in Dutch. Exceptions to this may be made in the following cases:
 - a. degree courses in a foreign language;
 - b. a guest lecture by an international lecturer;
 - c. if the specific nature, organisation or quality of the education or the student's country of origin necessitates this.
2. Education at HAN is organised in such a way that students are given reasonable opportunity to meet the standards for academic progress.
3. The structure of the degree course is explained in the Education and Examination Regulations relevant to the degree course, and which are included in the course-specific section of this charter.
4. Enrolment at HAN depends only on students having paid their tuition fees and not on any other payments.
5. The costs of study materials (books, excursions, equipment for practicals, etc.) are reasonable and in proportion to an average student income. If a component of the degree course involves extra costs, the student must be offered a free alternative (with the exception of a few specific matters such as nutritional practicals and the exceptional case that an excursion is not replaceable, in accordance with the guidelines of the Ministry of Education, Culture and Science)..
6. The course-specific section of the charter contains specific information about the cost of a degree course.

Article 6.2 Student progress and recommendations

1. The Education and Examination Regulations of a degree course, which are included in the course-specific section of this charter, contain regulations for monitoring students' progress and the corresponding personal tutoring.
2. No later than at the end of a student's first year of enrolment in the propaedeutic phase of a fulltime or a work-study Bachelors degree course, or the first year of enrolment in an Associate Degree course, he or she will receive a recommendation from or on behalf of the institute director about whether or not to continue his or her studies with that course department or elsewhere. In the case of a part-time course, the recommendation may be presented later than stated above. The recommendation may be a 'binding negative recommendation' if the student is not considered

suitable for the degree course. Any student who receives a binding negative recommendation may not re-enrol as a student for that same degree course at the same institution for three years. A binding negative recommendation is only given after sufficient warning. A student's personal circumstances may offer cause to postpone or refrain from issuing a binding negative recommendation. The course-specific section of this charter contains specific rules for issuing a binding negative recommendation for the relevant degree course.

Article 6.3 Assessments

1. The student's knowledge, understanding and skills are assessed by means of examinations or modular examinations, depending on how the course is organised.
2. The course-specific section of the Student Charter contains information on the assessment methods used in the degree course.

Article 6.4 Code of conduct for education taught in other languages

The code of conduct for courses taught in other languages has been included in Appendix 18.

Chapter 7 RELATED REGULATIONS

Article 7.1 Codes of conduct

HAN has various codes of conduct:

- a. General Code of Conduct, see Appendix 1;
- b. Regulations Governing the Use of Data and IT, see Appendix 2;
- c. Code of Integrity, see Appendix 3.

Article 7.2 Regulations governing the protection of personal data

HAN has a set of Personal Data Protection Regulations, see Appendix 4.

Article 7.3 Regulations governing financial support

HAN has various regulations governing financial support:

- a. Financial Support Regulations, a two-part set of regulations, see Appendix 5;
- b. Internal Regulations for the Financial Support Fund Committee, see Appendix 6;
- c. Emergency Fund Regulations, see Appendix 7.

Article 7.4 Legal protection, complaints procedures and ombudsman

1. HAN has multiple procedures governing legal protection, reporting and complaints procedures:
 - a. Regulations for the Complaints and Disputes Office, see Appendix 8;
 - b. Regulations for the Disputes Advisory Committee, see Appendix 9;
 - c. legal protection procedures for decisions concerning education, (Examination Appeals Board), see Appendix 10;
 - d. a reporting and Complaints Procedure for Undesirable Behaviour, see Appendix 11;
 - e. a procedure for complaints that fall beyond the scope of the reporting and complaints procedure for undesirable behaviour as defined in subparagraph e, see Appendix 12;
 - f. a reporting procedure concerning the use of portraits by HAN on the internet, see Appendix 13;
 - g. a reporting procedure concerning whistle-blower regulations, see Appendix 14.
2. HAN has an ombudsman, see Appendix 17.
3. Administrative objection can be lodged against decisions by the Executive Agency of the Dutch Ministry of Education (Dienst Uitvoering Onderwijs, DUO). Decisions issued by DUO will contain information about the procedure for administrative objections.
4. Decisions made by DUO on objections are open to appeal before the administrative law division of the court. Court registry fees apply for appeals. A decision on an objection will contain information about the procedure for appeals.
5. In all cases in which a student is represented in the above-mentioned procedures, the student must submit a written authorisation of representation.

Article 7.5 Other regulations

HAN has the following sets of regulations:

- a. The HAN Code of Conduct for Education Taught in Other Languages, see Appendix 18;
- b. Protocol for dyslexia, see Appendix 19.

Appendix 1 GENERAL CODE OF CONDUCT

Article 1 Scope

Articles 2 to 12 apply to all persons present in the buildings or on the grounds of HAN University of Applied Sciences in Arnhem and Nijmegen and who are enrolled as students, course participants or otherwise, and to students, course participants and other enrolled participants during off-campus study periods (e.g. while on work placement or carrying out a graduation project).

Article 2 Student card

1. Students are not permitted to allow others to use their student card, and are not permitted to use a student card belonging to somebody else.
2. Students who lose their student card must report this to the Service Desk immediately.
3. Students may be held liable for improper use of their student cards by third parties unless the student can demonstrate that he or she took the necessary precautions to prevent improper use by third parties. A student who is held liable is deemed to have allowed another person to use his or her student card and as such will be in violation of the provision contained in paragraph 1 of this article.
4. Students must carry their student card with them while in the HAN buildings or on HAN grounds. Students are obliged to show their student card upon request.
5. All HAN employees are authorised to ask a student to show his or her student card.
6. Those employees may instruct students who do not show their student card when requested to vacate the buildings and grounds used by HAN.
7. Students are responsible for ensuring that they submit the correct personal details to the Student Administration Office. Students must notify the Student Administration Office of any changes as quickly as possible through Studielink.

Article 3 Provisions governing the conduct of students present in the buildings and on the grounds used by HAN faculties and central services

1. Students must use the HAN buildings and grounds in accordance with their designated use.
2. Students must conduct themselves with decorum and propriety while in the buildings or on grounds used by HAN.
3. Students are in any event prohibited to:
 - a. eat or drink in the lecture and practical rooms;
 - b. smoke in the buildings (which also covers forms of smoking not involving tobacco, such as e-cigarettes). Smoking is permitted around the buildings in the areas outside the blue lines;
 - c. disrupt the education or other activities;
 - d. endanger safety;
 - e. be under the influence of narcotics or stimulants, unless they can show they have a medical prescription for those substances;
 - f. act contrary to the environmental rules;
 - g. act contrary to the rules of propriety, as partly described in the Code of Integrity (Appendix 3) and articles 8, 9 and 10;
 - h. act contrary to the applicable traffic rules;
 - i. act contrary to the provisions contained in this charter for the use of computers, email, the internet and the intranet, and also described in the Regulations for the Use of Data and IT (Appendix 2);
 - j. use the digital learning environment for improper purposes.
4. It is forbidden to wear clothing that covers the face.
5. The faculty director is authorised to impose further dress regulations in a separate clause in the Education and Examination Regulations of a degree course or group of degree courses if required for practical teaching purposes.
6. Without prejudice to the provisions in paragraphs 4 and 5, the faculty director is authorised to impose requirements with regard to the conduct and attitude of students based on requirements specified in professional profiles and stemming from professional practice. These requirements must be appended to the Education and Examination Requirements.
7. The guidelines contained in paragraphs 4 to 6 also apply to situations outside the HAN campus

where students are in contact with the work field (e.g. in work placements and graduation assignments). These guidelines will only apply in dealings that concern educational matters or matters in the interests of education provided by HAN.

8. Students are obliged to observe all applicable safety regulations in the buildings and on the grounds used by HAN.
9. Students are obliged to act in accordance with instructions given by authorised employees who are responsible for ensuring a clean environment in the buildings and on the grounds used by HAN.
10. Students who act contrary to the provisions set out in article 3 paragraphs 1 to 4 may be instructed by any HAN employee to cease those actions.
11. Students who do not comply with the instructions as referred to in article 3 paragraph 10 may be instructed to vacate the buildings and grounds used by HAN.
12. All HAN employees have the authority to instruct students as described in Article 3 paragraph 11.
13. Any employee giving instructions as described in paragraph 11 of this article must report immediately to the institute director or the coordinator of the degree course in which the student concerned is enrolled.

Article 4 Additional provisions governing the conduct of students during lectures

1. In order to attend a lecture, students must be present in the relevant lecture room at the moment that the lecture is scheduled to start.
2. Lecturers are authorised to deny access to students who arrive at a lecture after the lecture is scheduled to begin.
3. Lecturers may instruct any student who acts contrary to the provisions set out in article 3 paragraphs 2 and/or 3 to cease his or her actions.
4. Lecturers may instruct any student who ignores the instructions referred to in article 4 paragraph 3 to leave the lecture room.
5. In situations as described in article 4 paragraph 4, the lecturer must report immediately to the institute director or the coordinator of the course in which the student is enrolled.

Article 5 Additional provisions governing the conduct of students in practical training rooms

1. Students must in all events:
 - a. use the equipment with appropriate care and leave it in its proper condition;
 - b. replace all furniture in its original position after use;
 - c. deposit paper in the special paper bins or remove it from the room;
 - d. notify the instructor of the practical or Service Desk staff if there is any equipment that does not work or is not functioning properly.
2. Students are in all events prohibited from:
 - e. being under the influence of narcotics or stimulants, unless they can show they have a medical prescription for those substances; Use of any such substances or of any other substances that may affect the student's behaviour must be reported to the instructor of the practical or to another member of staff;
 - b. moving the equipment;
 - c. modifying the equipment, software and stored files;
 - d. copying software and files without permission from the instructor of the practical or another member of staff;
 - e. using software they have brought with them without permission from the instructor of the practical or another member of staff.
3. The instructor of the practical, the Service Desk staff or another member of staff may instruct any student who acts contrary to the provisions set out in article 3 paragraphs 2 and 3 and/or article 5 paragraphs 1 or 2 to cease his or her actions.
4. Employees may instruct students who do not comply with the instructions referred to in article 5 paragraph 3 to leave the practical training room.
5. In situations as referred to in article 5 paragraph 4, the member of staff concerned must report immediately to the institute director or the coordinator of the degree course in which the student is

enrolled.

Article 6 Additional provisions governing the conduct of students in examination rooms

1. If examinations last longer than two and a half hours, students may deviate from the ban on drinks set out in Article 3 paragraph 3.
2. It is prohibited to act in conflict with the provisions contained in the applicable Education and Examination Regulations and the applicable degree statute governing integrated and regular examinations and conduct during those examinations.
3. The coordinating invigilator or another member of staff may instruct any student who acts contrary to the provisions contained in article 3 paragraphs 2, 3 or 4 and/or article 6 paragraph 2 to cease his or her actions.
4. Employees may instruct any student who does not comply with the instructions as defined in article 6 paragraph 3 to leave the examination room.
5. In situations as described in article 6 paragraph 4, the member of staff concerned must report immediately to the institute director or the coordinator of the degree course in which the student is enrolled.
6. The member of staff who gave instructions as referred to in article 6 paragraph 4 must report those instructions in the record of the examination session.

Article 7 Provisions governing the conduct of students in off-campus study settings

1. Students must act with decorum and propriety at organisations/institutions/companies in off-campus study settings.
2. During off-campus study periods, the code of conduct of the relevant organisation/institution/company will apply in addition to the provisions in this chapter.
3. In cases in which both the code of conduct of both HAN and the company/organisation/institution include provisions governing the same matters, the code of conduct of the company/organisation/institution will apply.
4. Students are in all events prohibited from:
 - a. endangering safety;
 - b. acting contrary to the rules of propriety as partly described in articles 8, 9 and 10, and as implemented at the business/organisation/institution;
 - c. using means of equipment that belong to the business/organisation/institution for personal purposes without explicit permission from the placement supervisor.
5. Students must observe all safety rules and regulations that apply in the buildings and on the grounds of the business/organisation/institution.
6. Students must act in accordance with instructions given by on-duty employees at the business/organisation/institution who are responsible for ensuring a clean environment in the buildings and on the grounds of the business/organisation/institution.
7. Students who act in conflict with the provisions set out in article 7 paragraphs 1 to 6 may be instructed by any employee at the business/organisation/institution to cease those actions.
8. Any student who does not comply with the instructions referred to in article 7 paragraph 7 may be instructed to vacate the buildings and grounds of the business/organisation/institution.
9. The placement coordinator has the authority to instruct students as described in article 7 paragraph 8.
10. The placement coordinator who instructs a student as described in Article 7 paragraph 8 must report immediately to the institute director or the coordinator of the degree course in which the student concerned is enrolled.
11. The institute director/coordinator in question may ask the faculty director to impose a measure pursuant to Chapter 7 of this charter.
12. Any conduct on the part of a student that is in conflict with the provisions contained in this chapter but is not revealed until after the off-campus study period may result in measures being imposed pursuant to this chapter, but within a reasonable period after the conduct has become known.

Article 8 Loss, damage, destruction, reproduction

1. Students must use the equipment, objects, computer facilities, etc. that belong to HAN or third parties in accordance with their designated use.

2. Student must take due care when using the property of HAN or third parties.
3. Any damages resulting from loss, damage or destruction of property belonging to HAN or third parties by the student will be recovered from that student.
4. If a student is to blame for the loss, damage or destruction of property belonging to HAN or third parties, the faculty director may impose a measure as defined in article 11 paragraph 3. The provisions in article 11 paragraphs 4, 5 and 6 also apply to this situation.
5. HAN cannot be held liable for the loss of, damage to or destruction of property belonging to students or visitors.
6. Students are obliged to comply with the rules governing the reproduction of copyright-protected works, including software.
7. Any damages resulting from the reproduction of copyright-protected course materials supplied by HAN such as readers will be recovered from the student in question.
8. Copying, removing, deleting or modifying equipment, software or files may result in legal proceedings being brought by HAN or the software supplier. Any claims presented to HAN for copyright infringements committed by a student will be recovered from that student.
9. The faculty director may impose a measure as described in article 11 paragraph 3 in the event of reproduction of copyright-protected course materials supplied by HAN, such as readers. The provisions in article 11 paragraphs 4, 5 and 6 also apply in this situation.

Article 9 Sexual harassment, aggression, discrimination

1. The student should behave in accordance with the rules of propriety, or behave (understood to include acting and/or refraining from acting) in such a way that their behaviour cannot reasonably be experienced by others as injurious, insulting or offensive.
2. See the Complaints Regulations for Undesirable Behaviour (Appendix 11) for the regulations governing complaints about sexual harassment, aggression and violence, bullying and discrimination.
3. In addition to the procedure described in the Complaints Regulations for Undesirable Behaviour, a student may submit a written request to the Netherlands Institute for Human Rights (*College voor de Rechten van de Mens*) to investigate past or current discrimination as described in the Dutch Equal Treatment Act (*Wet gelijke behandeling*), the Dutch Equal Treatment (Men and Women) Act (*Wet gelijke behandeling van mannen en vrouwen*) or article 7: 646 of the Dutch Civil Code.

Article 10 Punishable offences

1. If a student commits a punishable offence, the faculty director may impose a measure as referred to in article 11 paragraph 3. The provisions in article 11 paragraphs 4, 5 and 6 also apply to this situation.
2. A suspicion of a punishable offence committed by a student may also be reported to the police, which may in turn have implications under criminal law.

Article 11 Measures

1. If a student violates the provisions in article 2 paragraph 1 or if a student violates any of the provisions contained in article 3 paragraphs 1 to 5, article 4 paragraph 1, article 5 paragraphs 1 and 2, article 6 paragraph 2, or article 7 paragraphs 1 to 6, the faculty director may impose a measure as contained in article 11 paragraph 3.
2. If a student does not comply with instructions given to leave as contained in article 2 paragraph 6, article 3 paragraph 7, article 4 paragraph 4, article 5 paragraph 4, article 6 paragraph 4, and article 7 paragraph 8, or if the provisions in article 7 paragraph 12 apply to the student, the faculty director may impose a measure as described in article 11 paragraph 3.
3. The faculty director may impose the following measures:
 - a. a warning;
 - b. an official reprimand;
 - c. denial of access to particular lectures or other specified components of a degree course for a period not exceeding one year;
 - d. denial of use of specified facilities for a period not exceeding one year;
 - e. denial of access to particular buildings or grounds used by HAN for a period not exceeding one year;

- f. denial of access to all buildings and grounds used by HAN for a period not exceeding one year;
 - g. invalidation of a study period spent off-campus during which the behaviour occurred;
 - h. temporary termination of enrolment for a period not exceeding one year;
 - i. permanent denial of access to the institution or permanent termination of the student's enrolment. This measure may only be imposed if the student caused serious nuisance in the buildings or on the grounds of the institution, and if the student did not cease his or her behaviour after having been cautioned to do so by or on behalf of the institutional board;
 - j. withdrawal of a student's enrolment if the student provided incorrect information when he or she enrolled.
4. Before the faculty director decides to impose a measure as described in article 11 paragraph 3, the student will be given the opportunity to explain his or her view so that both parties can be heard. The student may be assisted by counsel, with due observance to the provisions in article 7.4 paragraph 5 of the Students Charter.
 5. A decision by the faculty director to impose a measure must be announced to the person in question in writing within 14 working days after that decision was made, and must explain the reasons for that measure. The decision will enter into effect at that moment. A copy of the decision will be sent to the Department of Legal Affairs.
 6. In situations requiring immediate action, the faculty director may decide to deny a student access, with immediate effect, to particular lectures, facilities, buildings or grounds or to all HAN buildings and grounds, or may decide to suspend the student's off-campus learning period with immediate effect.
Within a week of this decision, the faculty director must decide on the measure to be imposed in accordance with Article 11 paragraph 3, with due observance of Article 11 paragraphs 4 and 5.

Article 12 Provision set by the faculty director in unforeseen circumstances

Situations for which this chapter does not provide will be decided at the discretion of the faculty director who may impose a measure as described in Article 11 paragraph 3. The provisions in Article 11 paragraphs 4, 5 and 6 will also apply in those situations.

Article 13 Obligatory consultation and reporting of sexual offences

1. If the institutional board becomes aware in any way that a person charged with duties for that institution might have committed or might be committing a serious offence against public decency as described in Title XIV of the Dutch Criminal Code (*Wetboek van Strafrecht*) against a minor who is enrolled as a student at the institution, the competent authority will immediately consult with the confidential educational inspector, as referred to in Article 6 of the Education Inspection Act (*Wet op het onderwijstoezicht*).
2. If the consultation as defined in paragraph 1 leads to the conclusion that a reasonable suspicion exists that the person in question has committed an offence as described in paragraph 1 against a minor enrolled as a student at the institution, the institutional board will immediately report the matter to an investigating officer as defined in article 127 in conjunction with Article 141 of the Dutch Code of Criminal Procedure (*Wetboek van Strafvordering*) and the institutional board will notify the confidential educational inspector immediately. Before the institutional board reports the offence, it will notify the parents of the student in question or the relevant person responsible for informing the parents on behalf of the institution.
3. If a member of staff learns that a person charged with duties for the institution might have committed or might be committing an offence as described in paragraph 1 against a minor who is enrolled as a student at the institution, that member of staff must notify the institutional board immediately.

Appendix 2 REGULATIONS GOVERNING THE USE OF DATA AND IT

These HAN regulations contain the provisions governing the use of HAN IT systems by HAN students. The purpose of these regulations is to stipulate the proper use of:

- systems and network security, including security against damage and misuse,
- prevention of sexual harassment, discrimination and other punishable offences,
- protection of confidential information belonging to HAN, its employees and students,
- prevention of negative publicity, and
- management of costs and capacity.

All students are required to comply with the provisions set out in these regulations and based on these regulations to follow all orders and instructions given by persons in authority.

Article 1 Additional terms and definitions

In addition to the general terms and definitions, the following terms and definitions apply in these regulations.

To the extent that these differ from the general definitions, the following definitions shall take precedence.

Authorised person

A member of the Executive Board (EB), a faculty director, the Services Department director, an institute director, or the head of a Service Unit or another individual who has been appointed as a competent authorised person either pursuant to the Higher Education and Research Funding Decree or a decision or regulations set by the EB.

Student

Everyone who is enrolled at HAN as a student, course participant or otherwise.

HAN data

All data, in whatever form, that are produced for or on behalf of HAN (email, documents, images, videos, databases, etc.).

HAN IT systems

The digital services and computer, communication and network facilities made available by or on behalf of HAN, including (but not limited to) PCs, laptops, telephones, printers, storage systems and Internet access.

Article 2 General use

1. The student is entitled to use the HAN IT systems intended for students.
2. The student should only use HAN IT systems for carrying out study activities for the degree course for which the student is enrolled, with the exception of the provisions under Article 2.3.
3. The student is entitled to use the Internet for non-educational-related traffic, on the condition they comply with the provisions of these regulations.
4. The student should handle their personal log-in details with care (including their HAN account), as well as any other additional means of authentication, such as text messages, authentication apps and tokens. Personal log-in details and additional authentication tools may not be transferred or shared.
5. It is not permitted to use another person's log-in details or leave a HAN IT system when logged in, giving others the opportunity to use it. If someone is suspected of misusing log-in details, HAN reserves the right to block the account concerned with immediate effect.
6. When the course in which a student is enrolled ends, no later than the day on which the course ends, the student should return to HAN any HAN data and HAN IT systems that may have been lent to the student.
7. After the student has left, HAN will destroy all of the student's personal data within a reasonable period of time, unless there is a legal obligation to retain these.
8. The student should report suspected or identified security flaws in the HAN IT systems to the ServiceDesk (tel. 024 353 16 66 or email servicedesk@han.nl).

Article 3 Manner of use

1. Students are not permitted to use HAN data or HAN IT systems for activities and/or conduct that are in contravention of the law, public decency, public order or these regulations. This includes, but is not limited to, the following activities and conduct:
 - a) infringing copyrighted work(s) or otherwise acting in violation of the (intellectual property) rights of HAN or third parties;
 - b) viewing, saving and/or distributing pornography or other offensive visual material;
 - c) intimidating people or harassing them in any way;
 - d) online gambling;
 - e) distributing malicious software;
 - f) (attempting to) break into HAN IT systems or (attempting to) get unauthorised access to HAN data;
 - g) concealing their identity or posing as someone else;
 - h) unnecessarily occupying or unnecessarily burdening the HAN IT systems;
 - i) deliberately sending, placing or making accessible messages or statements that the student knew or should have known contained undesirable or untrue content.
 - j) the placing of data, photos, videos and suchlike of other students, employees or HAN contacts on social media without the express permission of those involved.

Article 4. Monitoring and control

1. HAN is entitled to gather information about HAN-related activities for monitoring to prevent damage, as well as monitoring in relation to cost and capacity management.
2. The gathered data referred to in Article 4.1 may only be accessed by the responsible administrators. There may be deviation from this if misuse is suspected or discovered (see Article 5).
3. The forbidden use of HAN IT systems, or specific behaviour that leads to major costs or causes nuisance, is limited or prevented as far as possible by HAN.

Article 5 Misuse

1. Suspicions or the discovery of misuse of HAN data or HAN IT systems must be reported to the Service Desk, by sending an email to servicedesk@han.nl or calling 024 353 16 66. It is also possible to report anonymously to the Service Desk by calling #31#0243531666. The Service Desk will register the receipt of reports immediately and confidentially and, if possible, send confirmation by email. Alternatively, it is possible to contact a confidential counsellor, use the Whistleblower Regulations, or report the incident to the Code of Integrity helpdesk.
2. The Services Desk, if necessary in consultation with the system owner, will appoint a complaints processor who will investigate the suspicions or discovery of misuse. The complaints processor is authorised in this investigation, if considered necessary for the investigation, to secure evidence and take measures to prevent further misuse.
3. In the event of misuse, depending on the situation, the complaints processor will trace the identity of the person suspected of committing the abuse and inform the authority concerned. The owner of the HAN IT system concerned and/or the HAN data concerned will also be informed of the reported misuse.
4. The authorised person can ask the complaints processor to investigate the incident further. The complaints processor will issue a written report to the authority on the results of this research no later than three weeks after this request.
5. If considered necessary for the fulfilment of their tasks, the complaints processor is authorised to see and make copies of all of the information involved on HAN-related activities and data, with due regard for applicable legislation and HAN regulations.
6. After the complaints processor has issued the research report, the authorised person will provide the student with a reasoned written account of the results of the investigation, after which the student will be given an opportunity to give his or her view.

Article 6 Measures

1. The authorised person may take one or more measures against a student who acts in violation of the provisions in these regulations and/or fails to comply with a staff member's order to cease this behaviour, as contained in Article 11 paragraph 3 of the General Code of Conduct (Appendix 1).

2. In addition, based on these regulations, the authorised person may immediately delete or block information or take other (technical) measures, if this is considered necessary in order to limit damage.
3. Articles 11 paragraph 4, 11 paragraph 5 and 11 paragraph 6 of the General Code of Conduct (Appendix 1) will apply by analogy to imposing a measure in accordance with this article.

Article 7 Rehabilitation

If an investigation reveals a complaint to be unfounded and the investigation has prejudiced the student, rehabilitation shall follow, unless the student indicates that they do not wish for such action to be taken.

Article 8 Unforeseen circumstances

In cases not provided for by these regulations, the Executive Board will decide.

Appendix 3 CODE OF INTEGRITY

Adopted with consent from the Participation Council on 9 July 2014/Executive Board decision 2014/600

Preamble

This Code of Integrity of Stichting Hogeschool van Arnhem en Nijmegen, HAN University of Applied Sciences, hereafter referred to as HAN, contains the foundations for the integrity policy that is used at the institution. All actions performed at HAN and all regulations that apply at HAN should be in accordance with these foundations.

General

1. HAN's aim is to contribute to higher education, in particular to higher professional education, and to the development of the professions on which this education is based. It does this by
 - a. providing higher professional education, and the related non-degree courses, as well as post-graduate higher education;
 - b. conducting applied research;
 - c. imparting knowledge to society in so far as this is related to the higher professional education provided at the institution;
 - d. providing all other kinds of social services that can promote the aim.
2. HAN strives for care and integrity in all the activities it undertakes and in all the relationships it enters into. HAN also sets high standards for its own conduct. The conduct of all members of the HAN community, including staff, students, course participants and individuals working on behalf of HAN, should be based on personal integrity, respect for others and social responsibility.
3. All members of the HAN community, including staff, students, course participants and individuals working on behalf of HAN, are expected to refrain from all conduct that damages their integrity. Integrity means upholding general and professional social and ethical norms and values. This not only means acting in the spirit of this Code of Integrity, but also being able to estimate risks and vulnerabilities on a case by case basis and avoiding situations in which appearances could turn against them or HAN.
4. All members of the HAN community, including staff, students, course participants and individuals working on behalf of HAN, can be called to account for the manners they adopt while at HAN and that stem from the principles that HAN has recorded in its charters.
5. Communication and teamwork should be conducted with respect and care for one another, prevention of all forms of intimidation and recognition of everyone's contribution and responsibilities.
6. All members of the HAN community, including staff, students, course participants and individuals working on behalf of HAN, should use the available resources with care (e.g. equipment and furniture).
7. All members of the HAN community, including staff, students, course participants and individuals working on behalf of HAN, are deemed to know that HAN:
 - a. upholds the Code of Integrity and that this document applies to all those who work for HAN in any capacity and anyone who participates in education provided by HAN;
 - b. does not distinguish between gender, sexual orientation, religion or philosophy, cultural background or skin colour when recruiting and selecting staff and admitting students;
 - c. fosters mutual respect;
 - d. strives for pluralism in personal convictions and for encounters between people of different personal convictions, and to divide students into groups based purely on grounds related to education;
 - e. operates with a focus on equality between men and women, with due observance of democratic relationships;
 - f. takes account of the confidentiality with regard to privacy-sensitive information.

Education

8. When it comes to teaching, all members of the HAN community, including staff, students, course participants and individuals working on behalf of HAN, are obliged to act in accordance with the regulations contained in documents such as the Student Charter and the Education and Examination Regulations.
9. The study programmes perform assessments that are related to the professional attitude required in the profession for which students are trained. Acting contrary to this professional attitude may lead to negative assessments.
10. A student's manner of acting, dressing, treating others and suchlike must be respectful and take into account the opinions of others at HAN.

Conduct

11. All HAN staff, students, course participants and individuals working on behalf of HAN handle all data with care. Data that is necessary for properly implementing business and educational processes are recorded in accordance with the applicable procedures. The data must be readily comprehensible and verifiable by those who have a direct interest in this data.
12. All HAN staff, students, course participants and individuals working on behalf of HAN conduct business with others on the basis of honesty, trust and clear agreements. If an agreement nevertheless encounters obstacles, we will clarify that. Until a new agreement is made, the old one remains applicable.
13. All HAN staff, students, course participants and individuals working on behalf of HAN are expected to deal carefully with the interests and principles of HAN, even when these are addressed outside HAN (e.g. during a work placement or in publications).
14. In addition to explicit regulations, conduct should be based on the unwritten rule that everyone can and wants to explain his or her own conduct to those with whom they work or study. The following applies when there are intimate relationships between:
 - staff and students. The staff member concerned must report this immediately to their department manager;
 - staff members who have a hierarchical relationship. This must be reported immediately to the next highest level of management.
15. All members of the HAN community, including staff, students, course participants and individuals working on behalf of HAN, are expected to communicate in an open and honest way and to refrain from anonymous communication.

External contacts

16. The basic principles of the integrity policy are also expressly observed when purchasing goods and services from third parties and delivering goods and services to third parties.
17. If a HAN employee receives a gift in their capacity as HAN employee from third parties that is worth over € 50, that employee must report this to his or her supervisor. The supervisor must ensure that the gift not only benefits the employee who received it, but also benefits HAN as a whole as best as possible or, if this is not possible, benefits as many HAN employees and students as possible. If a member of the Executive Board receives a gift in his/her capacity as a member, 'head' should be read as 'Supervisory Board'. The members of the Supervisory Board are not permitted to receive such gifts.

Code of Integrity Office

18. Complaints about violations of this code can be reported to the Code of Integrity Office. The office can provide advice on the implementation of the standards and values specified above and thereby contribute to how behaviour at HAN is shaped. If requested, the office can provide recommendations to the Executive Board.

Appendix 4 PRIVACY REGULATIONS

**Adopted with the consent of the
Participation Council on 13-3-2018**

EB decision no. 2017/1243

Preamble

The business processes of HAN University of Applied Sciences require the collection, processing and storage of personal data. Naturally, this should be done with the utmost care. HAN is responsible for complying with the General Data Protection Regulation (GDPR) and attaches great value to the protection of personal data that are disclosed to the organisation and the way in which personal data are processed. These regulations cover, among other things, which personal data are processed at HAN, to whom these personal data may potentially be disclosed, and the rights of the persons whose personal data are processed.

I General provisions

Article 1 Terms and definitions

The following definitions will apply in these regulations, in line with and supplementary to the General Data Protection Regulation:⁴

- a. administrator: the person who is responsible on behalf of the controller for the day-to-day processing of personal data and the accuracy of the entered data, as well as for storing, deleting and disclosing data. The appendix contains an overview of the administrators. In cases where it is unclear who the administrator is, the director of the Services Department will act as the administrator;
- b. application manager: the person who ensures that the application works properly within HAN;
- c. controller / HAN: the Stichting Hogeschool van Arnhem en Nijmegen (foundation of HAN University of Applied Sciences), represented in this matter by the Executive Board.
- d. data subject: the person to whom the personal data relate;
- e. disclosure of personal data: publishing personal data or otherwise making data available;
- f. file: any structured set of personal data, whether this set of data is centralised or dispersed on a functional or geographical basis, that is accessible in accordance with certain criteria;
- g. GDPR: General Data Protection Regulation;
- h. infringement of personal data: an infringement of data protection that accidentally or in an unlawful manner leads to the destruction, modification or unlawful disclosure of or unlawful access to forwarded, stored or otherwise processed data;
- i. officer: the personal data protection officer who monitors the implementation of and compliance with the GDPR at HAN;
- j. personal data: all data relating to an identified or identifiable natural person. By identifiable is meant a natural person who can be identified, directly or indirectly, particularly on the basis of an identifier such as a name, an identification number, location data, an online identifier or from one or more elements that are characteristic of the physical, physiological, genetic, psychological, economic, cultural or social identity of this natural person;
- k. processing personal data: any operation or set of operations performed upon personal data, including in any event the collection, recording, organisation, storage, adaptation, alteration, retrieval, consultation, use, disclosure by transmission, dissemination or otherwise making available, alignment or combination, as well as blocking, erasure or destruction of data;
- l. processor: the person who processes data for the controller;
- m. profiling: any form of automatised processing of personal data whereby on the basis of personal data, certain personal aspects of a natural person are evaluated, particularly with the intention of analysing or predicting his or her professional performance, economic situation, health, personal

⁴Regulation (EU) 2016/679 of the European Parliament and the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data.

- preferences, interests, reliability, behaviour, location or movements.
- n. special categories of personal data: personal data as referred to in Article 9 of the GDPR, such as race or ethnic origin, religious or ideological convictions (photos, etc.) or data about health, such as disability, chronic illness;
 - o. staff: persons employed by or working for the controller;
 - p. technical work activities: work activities relating to the maintenance, repair and protection of hardware and software;
 - q. the Authority: The Data Protection Authority, the supervisory authority as defined in article 51, paragraph 1 of the GDPR;
 - r. user: the person entitled, on behalf of the administrator, to enter, modify and/or delete personal data, or to seek information about the data being processed;

II Purpose and Scope

Article 2 Purpose of the regulations

The purpose of these regulations is:

- a) to allow personal data to be processed in accordance with the GDPR;
- b) to protect the personal privacy of the data subject whose personal data are processed in one or more files against the misuse of these data and against the processing of erroneous data;
- c) to inform the data subject about what HAN will do with their personal data; and
- d) to guarantee the rights of the data subjects.

Article 3 Scope of the regulations

These regulations apply to the processing of the personal data of data subjects within HAN, including, in any case, all staff, students and external contacts (temporary employees/outsourcing), as well as to other data subjects whose personal data are processed by HAN.

These regulations apply to personal data that are processed wholly or partly by automatic means; it also applies to personal data that are processed otherwise than by automatic means if these data are included or intended to be included in a filing system.

III Data management

Article 4 Mandate from controller

The director of the Services Department assumes responsibility on behalf of the controller for the processing of personal data.

Article 5 Documentation of data processing

HAN maintains a register of all processing of personal data. This register of processing activities contains the following data:

- a) the name and contact details of the controller;
- b) the purpose of the processing activity;
- c) a description of the categories of data subjects and categories of personal data;
- d) the categories of receivers to whom the personal data were or are being disclosed;
- e) if applicable, the transmission of personal data to a third country or organisation;
- f) the intended periods within which the different categories of data must be erased;
- g) a general description of technical and organisational security measures.

The whole or partial automatised processing of personal data must be reported to the data protection officer. How this should be reported is indicated on the HAN Intranet. The officer performs random checks on the legality of the registration and is responsible for ensuring adequate documentation.

IV Data collection and processing

Article 6 Purpose limitation and data minimisation

Personal data must be gathered in a transparent manner for well-defined, specifically described and legal purposes, and may not subsequently be processed in a manner that is incompatible with these purposes. In addition, personal data must be adequate, relevant and limited to what is required for the purposes for which they are processed ('minimal data processing').

Article 7 Lawful processing

The processing of personal data is based on one of the legal bases defined in article 6 of the GDPR. In accordance with article 6 of the GDPR, the processing of the personal data of data subjects can be required to:

- a) implement an agreement to which the data subject is party;
- b) comply with a legal obligation resting upon the controller;
- c) protect the vital interests of the data subject;
- d) fulfil a task that is in the public interest or a task that forms part of the exercise of the public authority invested in the controller;
- e) serve the legitimate interests of the controller or a third party, except when these interests are outweighed by the interests or fundamental rights and fundamental freedoms of the data subject that require the protection of personal data, especially when the data subject is a child.

The processing of personal data can also be based on consent given by the data subject themselves. The controller must then be able to show that the data subject has consented to the processing of their personal data. If the data subject is a minor, in some cases it is also compulsory to obtain the consent of the parent/legal guardian. In further regulations, it will be specified in which cases this is and is not required.

In specific - yet to be determined - cases, HAN can ask a subject to consent to the processing of their personal data, by means of a permission form (for example).

Article 8 Procedure for applying for disclosure of data

An application for the disclosure of data submitted to a HAN staff member or organisational unit must in any event be submitted to the ICT service unit if:

- an external party is involved in any way in the application for the disclosure of data;
- the request for personal data does not form part of the regular task/job of the HAN staff member or of the regular work performed by the organisational unit;
- the application for data is not in keeping with the purposes as defined in the register of processing activities (article 5 of these regulations); or
- there is doubt as to whether the GDPR will be infringed.

V Data protection, duty to report data leaks and confidentiality

Article 9 Data protection and duty to report data leaks

1. The controller must provide the necessary technical and organisational measures for protection against the loss or any form of unlawful processing of personal data.
2. The measures are partly aimed at preventing the unnecessary collection and further processing of personal data.
3. Every infringement in relation to personal data as defined in Article 1, paragraph j of these regulations will be documented. The Authority will be informed of the infringement without unreasonable delay, and if possible within 72 hours of becoming aware of the incident, unless there is no likelihood that the infringement involves a risk to the rights and freedoms of natural persons. If the Authority is not informed within 72 hours, the report should be accompanied by reasons for the delay. If it is likely that the infringement entails a high risk to the rights and freedoms of natural persons, then the data subject(s) involved should also be informed of the infringement without delay.
4. The notification of the Authority and the data subjects should cover, in every case:
 - a) the nature of the infringement;
 - b) the contact details of the officer or another contact point where more information about the

- c) infringement can be obtained;
 - c) the likely consequences of the infringement; and
 - d) the recommended measures for dealing with the infringement of personal data, including, as the occasion arises, measures to limit the potential negative consequences of the infringement.
5. The notification of the data subject, as defined in paragraph 3, is not required if:
- a) the data affected by the infringement are incomprehensible to unauthorised persons, for example due to encryption;
 - b) subsequent measures have been taken to the effect that the high risk defined in paragraph 3 has been obviated;
 - c) the notification requires disproportionate efforts. In that case, a public notification should instead be made or a similar measure taken, whereby data subjects are informed in a manner that is equally effective.
6. The person who discovers an infringement of personal data as defined in paragraph 3 should report the infringement to the Service Desk within one working day. The Service Desk should immediately report the infringement to the officer, who should inform the controller and make the notifications defined in paragraph 3.
7. The officer maintains a register of every infringement of personal data. This register should contain, in every case, the facts and data relating to the nature of the infringement, as defined in paragraph 3, as well as the text of the announcement to the data subject, as applicable.

Article 10 Confidentiality

1. Employees are obliged to uphold the confidentiality of the knowledge that they acquire on account of their job, insofar as this obligation follows from the nature of the case, or is imposed expressly in writing. This obligation also applies after the termination of the employment contract.
2. Without prejudice to legal provisions, the employer is obliged to uphold the confidentiality of the personal data of the employee, unless the employee has given written consent for the disclosure of data relating to his or her person.

VI Processor(s) (agreement)

Article 11 Processor

1. If the controller has assigned the processing of a certain set of data to a processor, an agreement must be drawn up by the controller and the processor that must be observed by the processor with regard to protecting the personal data in question. Among other things, this agreement should describe the subject and the duration of the processing, the nature and the purpose of the processing, the type of personal data and the categories of data subjects, and the rights and obligations of the controller. In addition, the controller should ensure that (in this agreement) the processor offers sufficient guarantees with regard to technical and organisational security measures relating to the processing to be undertaken and with regard to notification in the case of an infringement of personal data.
2. The contract owner should include a copy of this agreement in Proquero. A format for this processor agreement is available on the HAN Intranet.

VII Notification

Article 12 Information provided to data subjects

1. When obtaining data from the data subject, the controller should provide the data subject with the following information:
 - a) their identity and contact details;
 - b) the contact details of the officer;
 - c) the purposes of the data processing and its legal basis;
 - d) the legitimate interests (if the processing is based on article 9, paragraph 1, section f of the GDPR);
 - e) the receivers or categories of receivers of the personal data;
 - f) guarantees in the case of the transfer of personal data to a third country or international

- organisation;
- g) retention periods;
- h) the rights of the data subject (including the existence of the right to request that the controller inspect personal data and to demand the amendment or erasing of personal data, as well as the right to object and the right to data transferability);
- i) whether disclosure by the data subject is obligatory;
- j) the right to submit a complaint to the Authority;
- k) information about profiling.

The above is not applicable if and insofar as the data subject already possesses this information.

2. The information contained in paragraph 1 will be provided by way of a general announcement on the HAN website addressed to data subjects, mainly containing information about the existence of the data processing and of these regulations, the manner in which data may be inspected, and about the manner in which data subjects can obtain more information.
3. If the personal data are obtained by means other than those defined in paragraph 1 (i.e., if the personal data are not obtained from the data subject themselves, but from a third party), the announcement described in paragraph 2 will be made:
 - a) within a reasonable period of time, but no later than within one month of obtaining the personal data; or
 - b) on the first communication with the data subject; or
 - c) no later than the time of the first disclosure to a third party.

The announcement will be made by way of a general announcement on the HAN website.

4. The announcement described in paragraph 3 will not be made if it is not possible to notify the data subject or if this requires disproportionate efforts, the data subject already has the information, it is a legal obligation, or if the personal data must be kept confidential for reasons of professional confidentiality. In this case, the controller will record the origins of the data.
5. The data subject will not be notified if the data processing is prescribed by a statutory provision.

Article 13 Opt-in/Opt-out⁵

Prior permission must be requested (opt-in) for the unsolicited sending of email messages for commercial, non-profit or charitable purposes. In addition, the receiver must always have the option of being able to deregister (opt-out). It is not necessary to request prior permission if the email message does not have any commercial, non-profit or charitable purposes, the data subject has provided their email address for these purposes, or in the case that the email address is obtained in the context of the sale of a product or service and the email address is used for one's own similar products or services. The email message should nevertheless contain an opt-out option.

VIII Data storage

Article 14 Data retention and periods

Personal data must be stored in a form that makes it possible to identify the data subjects for no longer than for the purposes for which the personal data are being processed. Personal data may be retained for longer periods purely with a view to archiving data in the public interest, scientific or historical research or statistical purposes, or on the grounds of a statutory provision, provided that appropriate technical and organisational measures are taken to protect the rights and freedoms of the data subject. Retention periods have been adopted for the retention of personal data. Retention periods can be determined in law, but can also be adopted by HAN. See the HAN-Bestandsoverzicht.⁶

IX Right of information, inspection, copies, correction, deletion, transfer and objection

Article 15 General

1. In relation to their personal data, the data subject will have the right to submit a request to the administrator to:
 - a. obtain information;
 - b. inspect and correct (amend, add to, delete and/or protect) and transfer data.

⁵In accordance with article 11.7 of the Telecommunications Act

⁶This overview is available from the HAN Service Desk.

2. No costs will be involved for the data subject in exercising these rights.
3. The data subject may be assisted in exercising those rights, at their own expense.
4. The administrator advises the data subject about the possibilities of legal protection and monitoring and the Authority's role in this.

Article 16 Right to object

1. If the lawful basis for a particular data processing activity:
 - a. is required for properly fulfilling a duty under public law; or
 - b. is required for the legitimate interest of the controller, the data subject may lodge an objection with the administrator at any time against the processing of their data based on special personal circumstances.
2. The data subject shall have the right not to be subjected to a decision based exclusively on automated processing, including profiling, which has legal consequences for them or which otherwise affects them to a considerable degree. The data subject may lodge an objection to this with the administrator. This does not apply if the decision is required for the conclusion or execution of an agreement between the data subject and controller, or if this is permitted under the law that provides for appropriate measures.
3. The controller will assess whether the objection is justified within four weeks of receipt of the objection.
4. If the data are processed in connection with the creation or maintenance of a direct relationship between the controller or a third party and the data subject with a view to soliciting for commercial or charitable purposes (direct marketing), the data subject may lodge an objection with the controller at any time against the processing of data.
5. When the data subject objects to data processing for the purposes of direct marketing, the personal data will no longer be processed for these purposes.
6. An objection lodged against processing for commercial or charitable purposes is justified at all times.
7. The administrator must terminate the data processing immediately if the controller considers the objection to be justified.

X Legal protection and monitoring

Article 17 Complaints procedure

1. The data subject is entitled to submit a complaint to the officer:
 - a. against a decision on a request, as defined in Article 15;
 - b. against a decision on an objection lodged by the data subject, as referred to in Article 16;
 - c. against the manner in which the controller, administrator or processor implements the rules contained in these regulations.Every data subject has the right to lodge a complaint with the Authority.
2. The officer must respond to the complainant in writing and with reasons stated as soon as possible, but within six weeks of receipt at the latest.
3. Data subjects may be assisted in the submission and handling of their complaints.
4. The officer may obtain advice from the Authority.
5. The officer may arrive at the opinion that the complaint is unjustified or fully or partially justified.
6. If the officer decides not to allow the complaint or to allow it only partially, the data subject may submit a complaint to the Authority. The controller informs the data subject whose complaint he or she has decided not or only partially to allow about the option of lodging a complaint with the Authority and of the Authority's address.
7. If the officer is of the opinion that the complaint is wholly or partially justified, they will decide to:
 - a. fully or partially honour the data subject's request, if the complaint is directed against a decision as defined in paragraph 1 under a;
 - b. honour the data subject's objection, if the complaint is directed against a decision as defined in paragraph 1 under b;
 - c. still implement the rules contained in these privacy regulations, if the complaint is directed against the manner of implementation as defined in paragraph 1 under c.
8. The officer must inform the data subject of their decision in writing.

XI Data protection officer

Article 20 Data protection officer

1. The data protection officer is appointed by the controller.
2. The data protection officer may not receive instructions from the controller regarding the performance of their duties.
3. The data protection officer will have the same powers as the supervisor referred to in Title 5.2 of the Dutch General Administrative Law Act (*Algemene wet bestuursrecht*).
4. All HAN employees must provide the information and cooperate with what is required of them pursuant to the previous paragraph.
5. The officer is obliged to:
 - a. produce an annual report on their work duties and findings as part of HAN's annual report;
 - b. pursue a comprehensive policy in relation to privacy.
6. The data protection officer is responsible for:
 - a. monitoring compliance with privacy legislation;
 - b. monitoring their internal policy, including awareness-raising and training;
 - c. providing information and advice on privacy issues;
 - d. collaborating with the Authority;
 - e. acting as a contact point for the Authority;
 - f. handling complaints from data subjects;
 - g. handling requests from data subjects if the wishes of the requester are not fully met;
 - h. making notifications to the Authority and data subject(s), as described in article 9, paragraph 3, and informing the controller about this;
 - i. keeping a register, as described in article 9, paragraph 7 of these privacy regulations.
7. The data protection officer only has access to personal data in that capacity and only uses the personal data that they obtain in their capacity as data protection officer if these data concern the performance of their duties as an officer.
8. The officer can make recommendations to the controller for the purpose of better protection of the data that are processed.
9. The controller must ensure that the officer is provided with the full cooperation that they require to perform their job.
10. The officer is bound to confidentiality.

Article 19 Monitoring compliance

The Authority is authorised under the GDPR to monitor compliance with the provisions contained in these privacy regulations pursuant to the GDPR.

XII Other provisions

Article 20 Training

The controller must provide regular training for the administrators and users to ensure that they understand the processes involved in processing data, the applicable rules and their own role within this.

Article 21 Unforeseen

Circumstances that are not provided for in these privacy regulations will be decided upon by the controller, after taking advice from the officer.

Article 22 Publication and inspection

These privacy regulations will be placed on the HAN Intranet and on www.han.nl.

Article 23 Changes and additions

1. Changes to the purpose of data processing and to the type of content, use and manner of obtaining personal data may lead to revisions of these privacy regulations.
2. Changes and additions to the privacy regulations require the consent of the Participation Council.

Article 24 Entry into effect and official title

1. These privacy regulations will come into effect on 13 March 2018.
2. These privacy regulations may be referenced as 'The HAN University of Applied Sciences Privacy Regulations.'

Appendix 5 FINANCIAL SUPPORT REGULATIONS

Adopted with the consent of the Participation Council on 22-6-2012/Executive Board decision no. 2012/322, most recently amended with approval from the Participation Council on 5 April 2017/ Executive Board decision. 2017/1088

Part I Provisions concerning special circumstances with the exception of board activities (see part II for board activities)

Article 1 Scope

1. A student will be eligible for the purposes of these regulations if:
 - a. he or she is enrolled as a student in a HAN degree course for which he or she has not been awarded a degree and for which he or she is required to pay statutory tuition fees,
 - b. he or she does not or does not fully participate in the degree course and is or was entitled to a performance-related grant as referred to in Chapter 5 of the Student Finance Act (*Wet op de studiefinanciering*) for that degree course as a result of special circumstances as referred to in paragraph 2, and
 - c. he or she has fallen behind or is expected to fall behind in his or her studies as a result of special circumstances as referred to in paragraph 2, or
 - d. or he or she participates in a degree programme that has not been re-accredited, meaning they are no longer entitled to a student grant.
2. The following are considered special circumstances:
 - a. membership of a degree committee;
 - b. membership of a faculty council;
 - c. membership of an institute council;
 - d. membership of the participation council;
 - e. illness, pregnancy or childbirth of the student;
 - f. disability or chronic illness of the student;
 - g. special family circumstances;
 - h. an unfeasible degree course;
 - i. a delay in studies due to the student's activities as an elite athlete in a national and international context;
 - j. a delay in studies due to entrepreneurial activities (top entrepreneur status) conditional on article 5.5, paragraph 5 of the Student Charter;
 - k. other circumstances that the Financial Support Fund Committee believes would result in considerable unfairness if a request for financial support were to be rejected;.
3. The following also applies in connection with a student's membership of the board of a degree committee, the faculty council, institute council or participation council as referred to in paragraph 2 under a. to d. if the student:
 - a. was entitled to a performance-related grant at the time he or she accepted the board membership;
 - b. holds a position for which no appropriate remuneration exists or is received or for which the full amount of a previously received appropriate remuneration was less than should have been awarded in accordance with article 7.51f of the Act;
 - c. is enrolled in the main phase of a degree course at HAN or has earned sufficient credits to be admitted to the main phase of a HAN degree course;
 - d. is able to obtain a degree before his or her 34th birthday;
4. Before a student who has fallen behind or is expected to fall behind in his or her studies due to a special circumstance as referred to in paragraph 2 subparagraphs e and f (illness or disability) may be eligible for financial support, he or she must - if eligible for a performance-related grant - have used the possibility to extend his or her performance-related grant as referred to in article 5.16 of the 2000 Student Finance Act.

Article 2 Amount of financial support

1. The period during which a student receives financial support is determined individually for each student, with due observance of the following paragraphs, and is expressed in months.
2. If a student is expected to fall behind in his or her studies due to special circumstances as referred to in article 1 paragraph 2 subparagraphs a to d (membership), the period during which he or she

will receive financial support will be set to 2 months a year.

3. If a student has fallen behind or is expected to fall behind in his or her studies due to special circumstances as referred to in article 1 paragraph 2 subparagraphs e to g (*force majeure*), subparagraph h (structure of degree course), subparagraph i (elite athlete), or subparagraph j (top entrepreneur status), the period during which he or she will receive financial support will be decided based on the number of months that comprises the student's delay in studies as a result of *force majeure*, the structure of the degree course or the student's activities as an elite athlete or entrepreneurial activities.
4. If a student has fallen behind or is expected to fall behind in his or her studies as a result of a special circumstance as referred to in article 1 paragraph 2 subparagraphs e and f (illness or disability), the extension received for the performance-based grant referred to in article 1 paragraph 4 will be deducted from the duration of the financial support.
5. The maximum period a student can receive financial support from the Financial Support Fund is 24 months.
6. The financial support received per month for student who fall under the old student grant system will be equal to the performance-related grant (basic grant and any additional grant) to which the student is or was entitled in the last month in which the student receives or received the performance-related grant.
7. The financial support received per month for students who fall under the social student loan system is equal to an amount of €292.13 plus a possible extra grant that the applicant had during the performance-related grant period.
8. The financial support as defined in paragraphs 7 and 8 of this article can be increased by the equivalent amount of the student travel product (rounded off to €100), as referred to in article 5.3, paragraph 2 of the Student Finance Act 2000, if the student has received support from the Financial Support Fund for more than 12 months.
9. The provisions contained in the preceding paragraphs may be departed from in special cases.

Article 3 Application for financial support

1. A student who wishes to apply for financial support under these regulations may submit an application to the Financial Support Fund Committee of HAN.
2. The application may be submitted by means of an application form provided for that purpose on HAN Insite (www.han.nl/insite/studiesucces, only available in Dutch - please refer to the campus counsellor for further information).
3. A student who wishes to apply for financial support as a result of a special circumstance as referred to in article 1 paragraph 2 subparagraphs a to d (membership) must submit his or her application no later than three months after the start of this membership. The following documents are needed for the application:
 - a. Certificate of Enrolment as a HAN student (this should be checked by the student counsellor);
 - b. copy of the student's passport or identity card (to be shown to student counsellor); The other documents should be sent with the application;
 - c. most recent notice from the DUO Education Executive Agency showing the amounts constituting the student grant awarded;
 - d. evidence of the board position the student will hold;
 - e. charters of the student organisation in which the student will hold a board position;
 - f. recent policy plan and/or activity plan of the student organisation in which the student will hold a board position;
 - g.
4. A student who wishes to apply for financial support as a result of a special circumstance as referred to in article 1 paragraph 2 subparagraphs e to g (*force majeure*), subparagraph h (structure of degree course), subparagraph i (elite athlete) or subparagraph j (student with entrepreneurial activities) must submit his or her application no later than three months after he or she is no longer entitled to a student grant. The following documents must be enclosed with the application:
 - a. Certificate of Enrolment as a HAN student (this should be checked by the student counsellor);
 - b. copy of the student's passport or identity card (to be shown to student counsellor); The other documents should be sent with the application;

Met opmerkingen [Editor1]: These subparagraphs aren't included in the Dutch version. Also, the Dutch version includes the following sentence after subparagraph b *De overige documenten dienen te worden meegezonden.* Should this be included in the English as well?

- c. recent notice from the DUO Education Executive Agency showing the month, year and amount of the last performance-related grant payment (i.e. basic grant and any additional grant);
- d. explanation by the student of the reasons for the delay in studies;
- e. statement from the student's personal tutor showing that the student reported to him or her as soon as possible after the special circumstance occurred, the extent of the subsequent delay in studies expressed in months and a projection of the student's academic progress;
- f. overview of the student's academic progress containing the number of credits earned since the start of the degree course;
- g. advice from the student counsellor on the duration of the delay in studies and the existence of possible compensation for the special circumstance referred to.

The following must also be enclosed in the event of a delay in studies due to *force majeure*:

- h. statement from a third-party expert or other documentation showing the period during which the circumstances occurred and what the circumstances comprised.

The following must also be enclosed in the event of a delay in studies due to illness or disability:

- i. documentation showing that the student has obtained an extension of his or her performance-related grant as referred to in Article 5.16 of the 2000 Student Finance Act;

The following must also be enclosed in the event of a delay in studies due to the structure of the degree course:

- j. more detailed substantiation by the student explaining that the degree course was structured in such a way that he or she was not reasonably able to take the final assessment within the period in which he or she received the performance-related grant or was unable to meet the standards for academic progress;

The following must also be enclosed in the event of a delay in studies due to his or her activities as an elite athlete:

- k. all statements issued annually by the Elite Sport Coordinator at HAN for the entire period that the student is regarded as a national or emerging talent.

The following must also be enclosed in the event of a delay in studies due to entrepreneurial activities:

- l. a statement from the HAN Top Entrepreneurs Coordinator for the entire period in which the student is regarded as a top entrepreneur.

5. Applications will not be processed if they are received later than the time referred to in the two preceding paragraphs. The Financial Support Fund Committee may still decide to handle the application if the student has provided reasons in his or her application for why he or she submitted the application at a later time and the committee deems these reasons to be well founded.

Article 4 Decision on the application

1. The HAN Financial Support Fund Committee decides on applications submitted for financial support and the implementation of those regulations.
2. The HAN Financial Support Fund Committee may decide to:
 - a. award financial support if the application was submitted a year before the end of the performance-related grant or no later than three months after the end of the performance-related grant.
 - b. postpone the application if it was submitted earlier than a year before the end of the performance-related grant or if more details are needed.
 - c. refuse the application.
3. The committee may award financial support for the duration of 12 months or more on the condition that the student makes academic progress with the prospects of graduating within the period for which he or she has been awarded financial support. The student must then report to the student counsellor every six months after the start of the financial support from the Financial Support Fund. If the student does not report to the student counsellor or the student counsellor is of the opinion that the student has not made academic progress, the student counsellor will immediately report this to the Financial Support Fund Committee;
4. The HAN Financial Support Fund Committee will make its decision within no later than 30 working days after receipt of the application. The HAN Financial Support Fund Committee may extend this period once by no more than 10 working days. The decision made by the HAN Financial Support

Fund Committee must be substantiated and communicated to the applicant in writing.

5. A student can lodge an objection against a decision made by the HAN Financial Support Fund Committee with the Disputes Advisory Committee within six weeks of the decision in accordance with the Regulations of the Disputes Advisory Committee (appended to the Student Charter).

Article 5 Provision of financial support

1. The applicant will receive the financial support awarded to him or her by the HAN Financial and Economic Affairs department in the form of a gift and at the expense of the faculty at which the applicant is enrolled as a student.
2. The provision of financial support will start after the period in which the student is entitled to a performance-related grant or an extended performance-related grant as referred to in article 5.16 of the 2000 Student Finance Act.
3. The financial support will be provided in equal monthly instalments.
4. The monthly instalments will be paid at the end of the month to which they relate.
5. If the student receives other payments based on his or her special circumstance as referred to in article 1 paragraph 2a to 2d and 2j, the amount of this other payment will be deducted from the financial support provided by the Financial Support Fund.
6. If the Financial Support Fund Committee judges that the student has made no academic progress as referred to in article 4 paragraph 3 of these regulations, the Financial Support Fund Committee may decide to immediately end the provision of financial support.
7. The provision of financial support will at any rate end upon termination of the student's enrolment as a HAN student.

Article 6 Withdrawal of an affirmative decision

The committee may decide to withdraw the decision in which an applicant is awarded financial support from the Financial Support Fund if it is found that this was awarded based on incorrect or incomplete information provided by the applicant or if the applicant no longer meets the conditions under which an award was made as referred to in article 4 paragraph 3.

Article 7 Transferability of entitlements

The entitlement to financial support of a student who was enrolled at another institution of higher education and obtained entitlement to financial support during that enrolment will be taken over by HAN. This application for financial support must, however, be submitted in accordance with these regulations. Furthermore, the duration and amount of financial support may be redetermined based on these regulations.

Article 8 Procedures of the HAN Financial Support Fund Committee

The Financial Support Fund Committee sets out its procedures in internal regulations, with due observance to the provisions contained in these regulations and the other framework adopted by the Executive Board, and present its internal regulations to the HAN Executive Board for approval.

Article 9 Effective date

These regulations will enter into effect on 1 September 2018.

Article 10 Official title

These regulations may be referenced as the 'Regulations Governing the Financial Support Regulations of HAN University of Applied Sciences'.

Part II Provisions concerning board activities

Article 1 General terms and conditions for board positions

1. All of the following conditions must be satisfied in order to qualify for support in relation to board positions:
 - a. Students are enrolled for the main phase of a HAN degree course or has gained sufficient ECTS credits for admittance to the post-propaedeutic phase of a HAN degree course;.
 - b. Students must not have received a degree for the degree courses in which they are enrolled.
 - c. Students must be or have been eligible for higher education student grants (performance-related grants) for pursuing the degree courses in which they are enrolled.
 - d. Students must exercise a position for which they have not or will not receive commensurate compensation or for which the total amount of commensurate compensation received was less than it should have been according to article 7.51f of the Higher Education Act.
 - e. Students must be capable of completing their degrees before reaching the age of 34 years.
2. Paragraph c of the previous paragraph does not apply to the international student who is not subject to the conditions of article 2.2 of the 2000 Student Finance Act.
3. Each academic year is subject to a maximum support period of 12 study grants per student. Students must serve in board positions for organisations that have been recognised by the Assessment Committee as recognised student organisations or activities. The criteria that organisations must meet are included in articles 5 and further.

Article 2 Duration of board positions

1. Students accepting board positions are obligated to serve in these positions for at least one semester.
2. In cases in which students are unable to meet this requirement and terminate their board activities, the organisation's board is obligated to report this to the student counsellor as soon as possible. The right to financial support due to board activities will expire immediately. Support may be awarded to successors beginning in the first month after the board has notified the student counsellor that the outgoing member is no longer in office.

Article 3 Reporting and applying for support by board members

1.
 - a. In August before the start of the academic year, the organisation's board receives a request to report how the board service grants to be awarded will be divided across the new board members. The division by the board assumes that the board membership grants to be awarded will be divided according to the expected workloads of the board members, with a minimum of one student grant per board position. If the distribution of board membership grants is evidently at odds with the expected workloads, on the advice of the student counsellor, the Financial Support Fund Committee can adjust the division.
 - b. The organisation's board is obligated to report which students have been appointed to which board positions by the competent body of the organisation concerned.
 - c. The individual board members submit their requests for payment along with the report of board members. The student counsellor will forward these requests to the Financial Support Fund Committee.
2. After the new board or board member has taken office, the completed form will be returned to the Assessment Committee before 15 November. If all board positions have not been permanently filled by 15 November, additions may be made to the form that has been submitted until 1 March of the current academic year at the latest.
3. The HAN Financial Support Fund Committee makes its decision at the start of the new calendar year, after receiving the application from the student counsellor. The HAN Financial Support Fund Committee's decision is communicated in writing to the applicant and includes reasons for the decision.
4. An objection to the HAN Financial Support Fund Committee's decision may be lodged with the Disputes Advisory Committee within 6 weeks of its date, in accordance with the Regulations of the Disputes Advisory Committee (Appendix 9 of the Student Charter).

Article 4 Amount and disbursement of board membership grants

1. A board membership grant amounts to € 292.13 per month.
2. Board membership grants are disbursed in the form of a gift during or directly following the end of

the academic year in which the board activities are performed.

Article 5 Recognised board activities

The following activities may be included in the 'List of Recognised Student Organisations and Activities':

1. board activities within the framework of the governance and organisation of the institution, including in any case:
 - a. membership of the participation council, faculty council or institute council in accordance with Article 1 paragraph 1e;
 - b. membership of a degree committee in accordance with Article 1 paragraph 1e;
2. membership on the board of a recognised student organisation of substantial size with full legal capacity as elaborated in Article 6 paragraphs 2, 3 and 4.
3. governance or community-related activities that the Assessment Committee has deemed to be in the interest of HAN or the degree course pursued by the student as elaborated in Article 6 paragraph 5;
4. The duration of the support (board membership grant) is determined in months for each academic year and included in the 'List of Recognised Student Organisations and Activities'.

Article 6 Student organisations eligible for recognition

1. Student associations, study associations, umbrella organisations and governance or community-related activities are eligible for recognition.
2. Student associations (including sports, social, cultural and ideological associations) meeting the following criteria may be recognised (including in the form of a foundation; see under e):
 - a. possession of full legal competence (statutes included in a notarial deed);
 - b. at least 50 members who are enrolled as students in an institution of higher education;
 - c. the organisation is directed towards the institution's student community or the broader student community in Arnhem or Nijmegen by opening its membership to any student enrolled at an institution of higher education in Arnhem or Nijmegen and by actually developing activities to this end, as reflected in its statutes, in its policy plan (or activity plan) and in its actual activities;
 - d. additional board membership grants may be awarded for the use of real estate (building management);
 - e. foundations must be able to offer convincing evidence that their actual activities benefit at least 50 students who are enrolled in an institution of higher education.
3. Student associations of HAN that meet the following criteria may be recognised (including in the form of a foundation; see under subparagraph g):
 - a. possession of full legal competence;
 - b. membership is open to any student enrolled in a degree course for which the study association was established;
 - c. the association is directed towards the students of HAN who are enrolled in the degree course (or courses) for which the study association was established, as reflected in its statutes, in its policy plan (or activity plan, if applicable) and in its actual activities;
 - d. the association can provide convincing evidence that the activities that it organises involve or are related to the content of the degree course (or courses) and that at least four activities are organised each year. The activities are valued to the extent that they contribute or are related to the content of the degree course;
 - e. the association can provide convincing evidence that the organised activities benefit at least 50% of the students in the degree course (or courses) for which the association was established;
 - f. participation in the activities of the association is open to any student enrolled in a degree course for which the study association was established;
 - g. foundations must be able to offer convincing evidence that their actual activities benefit any student enrolled in a degree course for which the organisation was established.
4. Umbrella organisations meeting the following criteria may be recognised:
 - a. the umbrella organisation must have been established with the objective of in any case advocating the interests of the member organisations affiliated with the umbrella organisation, as reflected in its statutes;
 - b. the members of the umbrella organisation consist exclusively of student organisations; natural

persons may not be members of the umbrella organisation. The umbrella organisation must have at least four members, with the combined membership of the member organisations consisting of at least 150 students of Radboud University Nijmegen or HAN University of Applied Sciences;

c. the activities of the umbrella organisation are aimed primarily at advocating the collective interests of the member organisations that are affiliated with the umbrella organisation;

d. umbrella organisations with dual statutory functions shared between membership of the umbrella organisation's board and membership of the board of an affiliated organisation are not eligible for recognition.

5. Governance or community-related activities meeting the following criteria may be recognised:
 - a. the applicant can provide convincing evidence that the organised activities are in the interest of the institution and benefit a substantial share of students in the degree course (or courses) for which the activities have been established;
 - b. in the application, the applicant provides details on the duties performed and the number of hours devoted to these activities each week, as well as the period within which these duties take place;
 - c. activities with duties lasting less than one month will not be recognised.
6.
 - a. Student organisations or activities meeting the criteria above may request recognition from the Assessment Committee.
 - b. A student association or umbrella organisation that is recognised by the RU can, based on this recognition, request recognition from the Assessment Committee.
7. The Assessment Committee takes decisions on all requests for recognition. To this end, the Assessment Committee investigates matters including the number of members, range of tasks, staffing and extent of responsibility associated with board positions, as well as the target group for whose benefit the activities are organised, taking the outcomes of this investigation into account in such decisions. The decision is determined according to a weighting factor (as included in Appendix 1), as well as according to the documentation submitted, as referred to in paragraphs 2, 3, 4 and 5 of this article. The decision also includes the tentatively determined number of months of board membership grants that the organisation can be awarded per academic year, following comparison to the number of months of board membership grants awarded to the other recognised student organisations.
8. The duration of the support is determined in months for each academic year and included in the 'List of Recognised Student Organisations and Activities' in these regulations (Appendix 2).
9. Organisations whose statutory objectives and/or actual activities are of a commercial character or that are aimed at maintaining or promoting discrimination against people based on religion, ideology, political affiliation, race, sex or any other grounds will not be recognised.
10. Organisations that operate nationally will not be recognised.

Article 7 Application procedure for recognition of student organisations

1. Requests for recognition are submitted to the Assessment Committee no later than 15 November of the academic year.
2. At least the following documents must be submitted along with a request for recognition:
 - a. the statutes of the association or foundation in the form of a notarial deed, indicating the number and types of board positions in the association or foundation and the target group;
 - b. a description of: the content of the tasks for each board position, and the average number of hours that a board member spends on these tasks per semester, as well as a brief description of the level of responsibility with regard to the target group and the organisation;
 - c. the association's list of members or, in the case of a foundation, an overview of the participants in the previous year's activities;
 - d. an overview of the activities undertaken in the previous year;
 - e. an annual report containing at least a financial overview and an overview of the activities undertaken.
3. The Assessment Committee investigates whether the request meets the provisions described in the second paragraph. If the request does not meet these provisions, the applicant will be informed of this without delay and they will be invited to rectify the omission within a stipulated time.
4. Within 30 working days after receiving a complete application, the Assessment Committee will take a decision concerning recognition. If the Assessment Committee deems that supplementary information is needed, this period can be extended by up to 30 working days.
5. The decision will be taken in writing and may entail the following:
 - a. the request will not be processed;

- b. the student organisation will be recognised;
 - c. the request will be denied.
6. If the request is denied, the decision sent to the student organisation will contain written justification for the rejection. The decision will also contain a reference to the possibility of and term for filing an objection.

Article 8 Composition of the Assessment Committee

1. The Executive Board appoints an Assessment Committee consisting of four members, two of whom are members of the HAN staff and two of whom are HAN students.
2. Student members are appointed upon nomination by the participation council for a period of one year.
3. Staff members are appointed for a period of three years.
4. Members may be reappointed.
5. Appointments are terminated after the period of appointment has expired, except in the case of reappointment. They may also be terminated early at the request of the board member, in which case a reasonable term will be determined in consultation with the Executive Board, or upon the decision of the Executive Board. This decision will be announced in writing. In the decision, the Executive Board will state the reasons for the termination and the date upon which it will take effect.
6. The members of the Assessment Committee designate one member to be the chair.
7. If the members of the Assessment Committee cannot reach full agreement in the division of the board membership grants, the chair will decide.
8. The members of the Assessment Committee and any other party who has knowledge and/or possesses written documents of student organisations or activities are bound to confidentiality regarding such information with regard to third parties, and they must ensure that the documents in question are not revealed to third parties.

Article 9 Assessment procedure for the allocation of board membership grants

1. Once every two years, the Assessment Committee will assess the number of board membership grants for which each organisation and activity is eligible.
2. After their year of founding, all organisations have the option of requesting a reconsideration of the assessment as referred to in paragraph 1.
3. Organisations wishing to be assessed must ensure that the Assessment Committee is in possession of their documents by 15 November at the latest. Documents or requests that are submitted later than this deadline will automatically result in the allocation of 0 board membership grants.
4. The necessary documents as referred to in article 9.2 include at least the following:
 - a. a fully completed intake form;
 - b. a consecutively numbered list of members dated 1 October of the year in question;
 - c. the most recent annual report, which is understood to include an annual financial report;
 - d. the most recent budget;
 - e. activity plan for the coming academic year;
5. The Assessment Committee will assess all applications that have been submitted on time and will draft the definitive division of the board membership grants by applying the criteria specified in article 10. The Assessment Committee will announce the division to all of the organisations that have been assessed.

Article 10 Criteria in the assessment procedure for the division of board membership grants

1. General principles for the division of board membership grants concern the following:
 - a. the Executive Board stipulates a maximum number of board membership grants per organisation, as included in Appendix 1;
 - b. activities may be compensated only once.
 - c. In the case of student associations, the number of allocated board membership grants is distributed in proportion to the total number of board members, with the proportional part

benefitting board members from HAN⁷.

2. Weighting factors for student organisations:

- a. the basic principle is the number of members as of 1 October of the academic year in which the student organisation is assessed. Only full student members enrolled in an institution of higher education are counted. For foundations, the basic principle is 15% of the students enrolled on this degree course;
- b. based on the number of members, the minimum number of board membership grants may be allocated according to the 'overview of the application of weighting factors';
- c. based on the range of activities offered and the scope of the organised activities of an organisation, the Assessment Committee can allocate board membership grants beyond the number of grants that an organisation receives based on the number of student members. The Assessment Committee will allocate additional board membership grants only to organisations that focus on organising activities consistent with the nature of the student organisation. A study association with a strong social character is not eligible for additional board membership grants;
- d. board membership grants may be allocated in cases involving the use of real estate (building management). If an organisation can be identified as the main tenant or sub-tenant and the organisation can show, based on a description of its role and activities, that these activities relate to property management, the Assessment Committee can take this into account in the allocation;
- e. For umbrella organisations, the number of board membership grants is determined according to the position description and range of activities offered. The range of activities offered must be demonstrably supplementary to the range of activities offered by the member organisations.

Article 11 Withdrawal of an affirmative decision

1. The committee may decide to withdraw the decision in which an applicant is awarded financial support from the Financial Support Fund if it is found that this was promised or awarded on the basis of incorrect or incomplete information provided by the applicant.
2. In the case of the dissolution of the student organisation, the committee can decide to withdraw the decision to recognise the organisation.

Article 12 Hardship clause

In special circumstances or in cases that are not covered by these regulations, according to the judgement of the Assessment Committee when this concerns student organisations and the Financial Support Fund Committee when this concerns individual applications, whereby rejecting a request for support would result in extreme unfairness, the Assessment Committee or the Financial Support Fund Committee may deviate from the provisions of these regulations in favour of the student organisation or the student, without affecting the application of article 10 paragraph 1.

⁷ For example, in the case of 6 board members, 1/6 of the allocated board membership grants will benefit the HAN board member.

Appendix 6 INTERNAL REGULATIONS FOR THE FINANCIAL SUPPORT FUND COMMITTEE

Adopted with the consent of the Participation Council on 5-12-2011/Executive Board decision no. 2011/219

Article 1. The committee

1.1 Location

The committee is located in the HAN administration building in Arnhem.

1.2 Composition

The committee consists of five members. A chair is nominated by the Department of Legal Affairs. The other four members are from the faculties. Two faculties nominate one of their staff members as a committee member and the participation council nominates two members. The members nominated by the participation council are employees or students of HAN. One of the other members acts as deputy chair.

1.3 Duties and responsibilities

The committee is responsible for deciding on applications for financial support from the Financial Support Fund.

1.4 Appointment of the chair and members

The chair and other members are appointed by the Executive Board. They are appointed for a period of two academic years. At their request, the chair and other members can be reappointed, each time for a period of two academic years. The Executive Board will present a proposed decision on the composition of the Financial Support Fund Committee to the participation council for approval.

1.5 Termination of appointment

A member's appointment is terminated:

- After the appointment period expires, except in the case of reappointment as defined in article 1.4.
- At a member's own request before the end of his or her appointment period, with a reasonable notice period to be agreed on in consultation with the Executive Board.
- Before the end of appointment period based on a decision by the Executive Board. This decision will be announced in writing. The Executive Board must state the reasons for their decisions and the date on which the appointment will be terminate.

1.6 Duties and responsibilities of the chair and members

The chair and other members must be available for one committee session a month.

The chair and members are responsible for preparing properly for these sessions.

They must perform their duties objectively and without bias.

The chair's main duties are as follows:

- To obtain information from the personal tutors and student counsellor regarding an application for financial support from the Financial Support Fund, to the extent this is relevant to the assessment of the application for financial support;
- To ensure that copies of students' applications for financial support are sent to the committee members in good time;
- To ensure that the committee follows proper decision-making procedures and to inform the Executive Board about these procedures;
- To ensure that decisions taken by the board are implemented.

The chair is responsible for:

- The proper functioning of the committee;
- Optimum participation by the members of the committee;
- The overall quality of the committee's duties;
- External representation of the committee, for example, during the hearings of the Disputes Advisory Committee;
- Safeguarding the unity of the decisions made by the committee;

- Preparation of the committee's annual report.

Article 2 Procedure for committee handling applications

2.1 Committee meetings

If applications are submitted, the committee will meet once a month as a rule. The committee meetings are not open to the public. The chair presides over the meetings.

2.2 Composition of the committee when handling applications

The chair and members of the committee are present when the committee handles an application.

2.3 Simplified handling procedure

The chair may decide not to handle an application during a meeting as referred to in paragraph 2.4 and may make a decision immediately if he or she judges the Financial Support Fund Committee to clearly unauthorised or the applicant clearly ineligible. The chair may only base his or her decision on the documents relating to the case. The applicant may lodge an objection against this decision with the Disputes Advisory Committee within 10 working days from the day on which the decision was sent to him or her. This decision will lapse as a result of the opposition, unless the Disputes Advisory Committee disallows the objection or declares it unfounded.

2.4 Handling of the application

The committee will handle the application during the meeting on the basis of the documents delivered to the committee by the chair. The committee must ascertain whether the application is complete.

2.5 Additional information

If the application is incomplete, the committee will postpone the handling until additional information or evidence is obtained. The committee will set an additional time limit in that event. The chair will inform the applicant of this in writing.

2.6 Hearing the applicant

The committee may hear the applicant for the purposes of the advice it is to issue. The applicant will in any case be given the opportunity to explain his or her application orally if he or she requests this from the committee. The committee may:

- a. obtain further written information from parties or other bodies;
- b. request experts to issue written advice or reports.

2.7 Testing framework

The committee tests the application against the HAN Financial Support Regulations, Appendix 5 of the HAN Student Charter.

2.8 Deliberation and decision-making

Decisions may only be made if the chair or deputy chair and half of the other committee members have participated in the deliberations. In reaching decisions, the chair will aim for the committee to reach a unanimous viewpoint or optimum consensus. If no unanimous viewpoint or consensus can be reached, the decision will be taken by a majority of votes.

2.9 Time limit

The committee decides within 30 working days after receipt of the application. The committee may extend this period once by no more than 10 working days. The committee's decision must be substantiated and communicated to the applicant in writing.

2.10 Register of decisions

No report is made of the matters discussed during the meeting. The chair will record the decisions taken by the committee in a register of decisions.

2.11 Confidentiality

The members of the committee must maintain the confidentiality of all matters of which they learn in their capacity as committee members, except in the presence of the Executive Board.

Article 3 Consequences of the decision

3.1 Notification of the decision

The committee makes decisions on behalf of the Executive Board. The applicant, student counsellor, faculty director and the Executive Board will be notified of the committee's decision in writing within two weeks after the hearing. The decision must contain at least the following:

- The date on which the decision was made and the date on which it was sent;
- A description of the reason for application;
- The committee's decision and reasons for its decision;
- Mention of the possibilities to object as defined in article 3.2.

3.2 Objection

Objection may be lodged against the committee's decision with the Disputes Advisory Committee within six weeks from its date, in accordance with the Regulations of the Disputes Advisory Committee (appended to the Student Charter).

3.3 Withdrawal of an affirmative decision

The committee may decide to withdraw the decision in which an applicant is awarded financial support from the Financial Support Fund if it is found that this was promised or awarded on the basis of incorrect or incomplete information.

Article 4 Accountability

4.1 Consultation with the Executive Board

The representatives of the committee and a representative of the Executive Board will convene at least once a year. The committee chair is at any rate present during these consultations.

4.2 Annual report

Each year, the committee prepares a report about its activities.

The annual report must contain at least the following:

- A general account of the composition and procedures of the committee over the past year;
- An overview of the applications for financial support from the Financial Support Fund handled over the past year and the way in which they were handled;
- An overview of the bottlenecks identified in the policies and procedures in the past year;
- An account of the cases in which financial support was awarded under specific conditions;
- The way in which financial support awarded is paid out.

The annual report is finalised by 1 March of the year following the year under review.

The annual report will at any rate be presented to the Executive Board and the faculty boards.

Article 5 Final provisions

5.1 Unforeseen cases

If a situation occurs for which these regulations do not provide, the committee or the chair will take the decision that appears most reasonable and is most in line with the HAN Financial Support Regulations, Appendix 5 to the HAN Student Charter.

5.2 Entry into effect

These regulations will enter into effect at the same time as the HAN Financial Support Regulations, Appendix 6 to the HAN Student Charter.

5.3 Transitional provisions

These regulations apply to the committee's duties that are performed from the effective date. This also includes cases where an application for financial support from the Financial Support Fund was submitted prior to this date. If the implementation of this paragraph were to lead to disproportional prejudice of an applicant who submitted his or her application before the effective date of these regulations, the committee or the committee chair will be authorised to apply the regulations that applied before the effective date of these new regulations.

5.4 Official title

These regulations may be referenced as 'Internal Regulations for the Financial Support Fund Committee of HAN University of Applied Sciences'.

Appendix 7 EMERGENCY FUND REGULATIONS

Article 1 Scope

1. In the event of a financial emergency concerning the immediate continuation of a degree course and the study activities related to that degree course, a student may make an urgent appeal to the HAN Emergency Fund if the emergency meets the following conditions:
 - a. the emergency is acute;
 - b. the emergency is unavoidable;
 - c. the emergency cannot be resolved through normal channels, which at any rate means student grants and loans under the 2000 Student Finance Act, support funds within the faculties and healthcare and other insurance policies;
 - d. the emergency is incidental, i.e. not systematic or of such a nature that it occurs periodically;
 - e. the emergency can be effectively resolved by one-time financial support;
2. This financial support amounts to no more than € 1,000 in the form of an interest free loan or € 1,000 in the form of a gift.
3. In addition to article 1 paragraph 1 subparagraph d, the emergency may be the result of a non-incidental disability or illness, the financial emergency itself must be incidental.

Article 2 Application procedure for emergency support

1. The applicant must contact the student counsellor and discuss the financial emergency with the student counsellor.
2. The applicant must complete and submit an application form to the student counsellor. This form is available online (www.HAN.nl/insite/studiesucces, only available in Dutch - please refer to the student counsellor for further information).
3. The applicant must enclose documentation with the application form specifying the amount of financial assistance requested.
4. If the emergency is the result of a disability/chronic illness, a medical statement must be enclosed that explains the nature of the disability/chronic illness and in which it is made plausible that the financial assistance requested will be effective in remedying the emergency.
5. In consultation with the student's personal tutor, the campus counsellor will verify whether the conditions referred to in article 1 paragraph 1 have been met and will check the information in the application.
6. As soon as possible, and within at least five working days after the student has submitted the application, the student counsellor will advise the deciding body, the Department of Legal Affairs, on whether to award emergency support and on the type and amount of support.
7. As soon as possible, but within at least five working days after the student counsellor has submitted the advice, the Department of Legal Affairs will make a reasoned decision on whether to award emergency support and on the type and amount of support. The decision will be communicated in writing to the student, and student counsellor concerned and, if the application has been approved, to the Financial and Economic Affairs Service Unit.
8. The Department of Legal Affairs is responsible for the required administrative processing of the application and the approval of the application. The Department of Legal Affairs keeps a record of the applications. None of the content of decision will be made public.
9. The financial support is paid through the Financial and Economic Affairs Service Unit.

Article 3 Gift

1. The basic principle that applies to all cases is support in the form of a gift. This gift is granted if the financial emergency was the result of an unbalanced division of income and expenditure during a certain period.
2. Under 'Additional comments' on the application form, the applicant must describe how he or she plans to resolve the emergency in the future.
3. The applicant must have good prospects of completing his or her studies.
4. A student may receive support in the form of a gift up to no more than €1,000. If a student submits

several applications during the time he or she is enrolled at HAN, the total of those gifts provided may never exceed € 1,000.

Article 4 Interest-free loan

1. Contrary to the provisions in article 3, support will be awarded in the form of an interest-free loan if the situation can be resolved through normal channels (which at any rate means student grants and loans under the 2000 Student Finance Act, support funds within the faculties and healthcare or other insurance policies) but the student has to wait some time for the payment or decision to be processed.
2. A student can obtain support up to an amount of € 1,000 in the form of an interest-free loan. If a student submits several applications during the time he or she is enrolled at HAN, the total of those interest-free loans provided may never exceed € 1,000.
3. The student will be informed of the repayment arrangement in a letter.
4. If possible, repayment should be completed within a year, or earlier if and when the student graduates or terminates his or her studies.
5. In the event of repayments in arrears, the student will receive a reminder from the Financial and Economic Affairs Service Unit.

Article 5 Unforeseen circumstances

In cases for which this section does not provide, or if the limit of the financial support proves insufficient, the application will be presented to the HAN Executive Board. The Executive Board will take a decision on the award, type and amount based on the documents presented.

Appendix 8 REGULATIONS FOR COMPLAINTS AND DISPUTES OFFICE

Article 1. Service

1. HAN provides a service as defined by article 7.59a of the Higher Education and Research Act.
2. An individual may submit an oral or written complaint to the service unit as defined in article 7.59b or a written appeal or objection as defined in paragraph 2 of the Act regarding a decision made by a HAN body or on account of the lack of such a decision based on the Act and the regulations based on those decisions.
3. The parties involved as referred to in paragraph 2 of this article may be students, former students, prospective students, external students, prospective external students or former external students.

Article 2. Set-up of the Complaints and Disputes Office

1. A legal expert from HAN determines where a complaint, objection or appeal should be submitted. The Complaints and Disputes Office can be reached at bureau.klachten@han.nl. The address of the Complaints and Disputes Office is:
Postbus 6960
6503 GL Nijmegen
2. If a complaint is made orally, the service unit will ask the party concerned to record the complaint in writing and send it to the facility..

Article 3. Procedures of the unit

1. The unit sends written confirmation of its receipt of a complaint, objection or appeal to the party involved and then, after noting the date of receipt and attaching all relevant documents, sends the complaint, objection or appeal to the competent body. The party involved is informed to which body his or her complaint, objection or appeal has been forwarded.
2. The date of receipt as referred to in the first paragraph of this article is decisive for whether a complaint, objection or appeal will be considered to have been filed on time.
3. If the unit has sent a complaint, objection or appeal to a non-competent body, that body will return the document(s) in question to the service unit as quickly as possible. The unit then decides which body is competent to receive the complaint, objection or appeal and makes the referral to that body. The body to which the matter is referred is bound to the referral. The term for processing the complaint, objection or appeal will start as from the date of referral. The party involved will be informed about this in writing.
4. The competent body will handle a complaint, objection or appeal filed directly to that body by the party involved only after intervention by the unit.
5. If a complaint, objection or appeal is not signed, the documents in question will nevertheless be forwarded to the authorised body; the person concerned will be informed of this and requested to send a further signed copy to the authorised body within a specified time frame.

Appendix 9 REGULATIONS OF THE DISPUTES ADVISORY COMMITTEE

Adopted with the consent of the Participation Council on 6-3-2012/Executive Board decision no. 2012/280

Article 1 Disputes Advisory Committee

1. HAN University of Applied Sciences provides a Disputes Advisory Committee for the benefit of students, prospective students and external students (article 7.63a paragraph 1 of the Dutch Higher Education and Research Act (Act)). The members of the Disputes Advisory Committee function independently.
2. The Disputes Advisory Committee advises the Executive Board concerning objections against decisions based on the Act and the provisions based thereon, or the lack of such decisions, other than those defined in article 7.61 Act.

Article 2 Size and composition, establishment of divisions

1. The Disputes Advisory Committee has a chair, two deputy chairs, eight members, four of which belong to the HAN teaching staff and four enrolled as students, as well as two deputy members.
2. The Disputes Advisory Committee forms two divisions. One division holds its session in Arnhem and the other in Nijmegen.
3. Each division has three members:
 - a. a member who is not part of the HAN community. This member is also the chair. He or she must meet the requirements to qualify for an appointment as a district court judge and is preferably a member of the judiciary;
 - b. one member belonging to the HAN teaching staff;
 - c. one member who is enrolled as a student at HAN.
4. The members of the Disputes Advisory Committee may be appointed to either of the divisions.
5. In departure from paragraph 3, the chair of the Disputes Advisory Committee may decide in complicated cases to compose the Disputes Advisory Committee of five instead of three members, including a chair/deputy chair, two members of the teaching staff and two student members.
6. The members and deputy members are appointed by the Executive Board. Members from the HAN community are appointed on a recommendation by the participation council. When nominating members and deputy members, the participation council will ensure the most even distribution of representation of the different HAN faculties possible. The members are not part of the Executive Board or the Inspectorate.
7. Members and deputy members of the Disputes Advisory Committee are appointed for a period of three years on the understanding that the student members among them are appointed for a term of one year.
8. At their request, members and deputy members of the Disputes Advisory Committee will be granted discharge by the Executive Board. Upon reaching the age of seventy, members and deputy members will be granted discharge as of the month following their seventieth birthday. Members will be dismissed if they are unable to perform their jobs owing to illness or disability, or if they are not suited to perform their job due to a conviction for a serious offence by an irrevocable court judgement. Prior to dismissal on the grounds of what is stated in the third sentence, the person concerned will be informed of the intended dismissal, and he or she must be given the opportunity to be heard.
9. Members and deputy members may be awarded an honorarium by the Executive Board.
10. The Disputes Advisory Committee is assisted by an official secretary, who is appointed by the Executive Board from amongst the general support and management staff at HAN. At the chair's request, the Executive Board may appoint one or more deputy official secretaries.
11. In performing their tasks, the official secretary and the deputy official secretaries will follow the chair's directions.

Article 3. Objection procedure

1. Objections may be lodged by interested parties. Interested parties are students, former students, prospective students, external students, prospective external students or former external students. An objection is lodged by filing a reasoned letter of objection.
2. The letter of objection is lodged to the official secretary of the Complaints and Disputes Office, who notes the date of receipt on the letter and forwards it to the chair.

3. The letter of objection must be lodged within six weeks after the day on which the student was informed of the decision in question.
4. If the letter of objection is lodged after the term mentioned in the previous paragraph, it will not be declared inadmissible if the person submitting the objection cannot reasonably be judged to have been in default.
5. The letter of objection must be signed by the person submitting it and should contain:
 - a. his or her name, address and telephone number;
 - b. the date on which the person is lodging the objection;
 - c. a clear description of the decision challenged by the objection, if possible with a copy of that decision. If the objection challenges the refusal to make a decision, a clear description of the decision that should have been made in the opinion of the person lodging the objection should be included;
 - d. the grounds on which the objection is based;
 - e. the signature of the person lodging the objection.

Article 4 Obligatory attempt to reach an amicable settlement

1. Before considering the objection, the Disputes Advisory Committee will send the letter of objection to the body that has made the challenged decision, inviting it to consult with the persons in question to see whether an amicable settlement of the dispute can be achieved.
2. The body in question will notify the Disputes Advisory Committee within 15 working days of the outcome of this consultation, and will submit the related documents.
3. The chair may decide that no attempt to reach an amicable settlement needs to be made if such an attempt is useless in his or her opinion or would result in disproportionate harm for the person who lodged the objection. In that case, the chair will set the term within which a written defence must be submitted.
4. If it has not been possible to reach an amicable settlement, the Disputes Advisory Committee will handle the letter of objection.

Article 5 Urgency

1. If immediate action is required, the chair of the Disputes Advisory Committee, on being asked to do so, may ask the Disputes Advisory Committee to deliver advice to the Executive Board as soon as possible.
2. The chair will determine within a week of receiving the objection whether immediate action is required and will inform the person in question and the Executive Board of this as soon as possible. The Executive Board will then make a decision within four weeks of receipt of the objection by the service unit in question.

Article 6 Letter of defence

1. If an amicable settlement has proved impossible, or was not attempted in accordance with a decision by the chair, the body in question will send a letter of defence to the Disputes Advisory Committee within 15 working days after receipt of the invitation, as referred to in article 3 paragraph 1 or the term stipulated in paragraph 3.
2. The chair may decide that the letter of defence may be filed later, within a term he or she considers reasonable.
3. Besides the letter of defence, the chair may take the initiative to seek and request any information he or she deems necessary. The bodies and members of staff as well as the examiners will provide the Disputes Advisory Committee with any information the Disputes Advisory Committee requires to carry out its task.

Article 7 Preliminary investigation and hearing

1. If no amicable settlement has been reached, the chair will decide on the composition in which the Disputes Advisory Committee will handle the letter of objection, taking into account the provisions in article 2. If the chair is absent or unable to act, his or her deputy will act as chair.
2. The Disputes Advisory Committee may:
 - a. seek further written information from the parties or other bodies;
 - b. request experts to assist with written advice or reports.
3. The Disputes Advisory Committee may, either in its official capacity or at the request of the parties, involve third parties who have a direct interest in the dispute. Any third party will become

- a party in the dispute as a result of such involvement.
4. Without prejudice to the provision in the previous paragraph, any interested party may ask the Disputes Advisory Committee for permission to intervene or join one of the parties. If that request is granted, the person making the request will henceforth be considered a party in the dispute.
 5. The Disputes Advisory Committee may join related cases and separate joint cases.
 6. As soon as the chair judges that the relevant facts have been made sufficiently clear through the preliminary investigation, and the factual information required for making a decision has been gathered in the documentation, the chair will set a time and place for the hearing. The official secretary will immediately summon the parties to the hearing. The summon is sent at least 10 working days before the hearing.
 7. At least one week before the hearing, the Disputes Advisory Committee will make the letter of objection and any other documents relevant to the case available for the interested parties to inspect. The Disputes Advisory Committee may, at an interested party's request or otherwise, decide not to make these documents available for inspection if confidentiality is required for serious reasons. The party in question will be informed if this is the case.
 8. The objection will be heard during a Disputes Advisory Committee hearing. The committee may assign the hearing to the chair or to a member who is not part of and does not work under the responsibility of the Executive Board. Unless provided otherwise by law, the Disputes Advisory Committee decides whether the hearing will be public.
 9. The hearing of interested parties may be cancelled if:
 - a. the objection is manifestly inadmissible;
 - b. the objection is manifestly unfounded;
 - c. the interested parties have declared that they waive the right to be heard, or
 - d. the objection has been fully met and the interests of other interested parties cannot be harmed as a result.
 10. The parties may let themselves be replaced by an authorised representative or assisted by counsel at the hearing. In addition, they may bring witnesses and experts to the hearing, on the understanding that they inform the Disputes Advisory Committee and the opposing party of the names of those persons in writing no later than by the fourth working day before the day of the hearing.
 11. The Disputes Advisory Committee may summon witnesses and experts to the hearing, either in its official capacity or at the request of the parties.
 12. If a party fails to appear at the hearing, the chair will check whether this party was properly summoned. If this was the case, the hearing can continue without the presence of that party. The latter also applies if both parties fail to appear.
 13. A called hearing will not take place if, besides the chair, not all summoned members of the disputes committee are present. However, if a student member or a teaching staff member of the disputes committee or both are absent, the disputes committee may decide to proceed with the called hearing if the parties agree to this.
 14. The chair:
 - a. opens, chairs and closes the hearing;
 - b. gives each of the parties the opportunity to explain its position;
 - c. ensures that the case to be heard is moved towards a decision in a proper and effective manner;
 - d. decides - unless these regulations provide otherwise - on any disputes that may arise during the hearing about the manner in which the case is being heard.
 15. If the Disputes Advisory Committee submits documents as written evidence in its official capacity, or if written documents are submitted to the Disputes Advisory Committee, parties will be given the opportunity to inspect those documents and make their views on those documents known.
 16. The parties may ask each other questions through the intervention of the chair.
 17. Parties may change the content of the objection and of the defence, as well as the grounds on which these are based, until the close of the hearing, unless the Disputes Advisory Committee believes that the other party would be unreasonably harmed by such changes.
 18. The chair, either in his or her official capacity or at the request of one of the parties, may suspend the hearing, informing the parties of the time at which the hearing will be resumed or of the manner in which the parties will be informed of this.
 19. The chair may decide not to continue the hearing of witnesses and experts as soon as he or she judges that the witnesses and experts already heard have sufficiently clarified the facts.
 20. If, before the closure of the hearing of the Disputes Advisory Committee, the chair holds that the investigation has been incomplete, he or she may decide to suspend the hearing. A decision to suspend the hearing may involve instructions given to the parties for providing evidence.

Article 8 Advice and decision

1. The Disputes Advisory Committee advises the Executive Board concerning objections against decisions or the lack of such decisions based on the Act and the regulations based thereon other than those defined in article 7.61 of the Act.
2. The committee decides about the implementation of article 7.4 paragraph 6 and article 7.5 paragraph 2 of the Dutch General Administrative Law Act.
3. Advice is given in writing and will contain a report of the hearing. A copy of the advice must be sent to the person involved and the body that has made the challenged decision.
4. If the objection is admissible, the challenged decision will be reconsidered based on that admissibility.
5. If the reconsideration gives reason to do so, the Executive Board will revoke the challenged decision and make a new decision if necessary.
6. The decision of the Executive Board is communicated within 10 weeks after receipt of the objection, without prejudice to the decisions on the basis of the procedure, by sending or delivering it to those to whom it is addressed. If the challenged decision was not specifically addressed to one or several involved parties, the decision will be communicated in the same way as that challenged decision.
7. If the decision on the objection diverges from the committee's advice, the reasons for that divergence will be stated.

Article 9 Other provisions

1. The official secretary ensures that decisions made by the Disputes Advisory Committee and any related documents are filed in the Disputes Advisory Committee's archives.
2. The Disputes Advisory Committee publishes an annual report about its activities.
3. In cases for which these regulations do not provide, the chair decides, if necessary after consulting with the other members of the board.

Overview of articles from the General Administrative Law Act (Awb) that apply to the Disputes Advisory Committee

Article 7.3 of the Awb

The hearing of interested parties may be cancelled if:

- a. the objection is manifestly inadmissible;
- b. the objection is manifestly unfounded;
- c. the interested parties have declared that they waive the right to be heard, or
- d. the objection is conceded completely and the interests of other interested parties cannot be harmed as a result.

Article 7.4 of the Awb

1. The interested parties may submit further documents up to 10 days before the hearing.
2. At least one week before the hearing, the Disputes Advisory Committee will make the letter of objection and all other documents relevant to the case available for the interested parties to inspect.
3. In the summons for the hearing, the interested parties are made aware of the provision in the first paragraph and of where and when they can inspect the documents.
4. The interested parties may obtain copies of these documents at no more than cost price.
5. If the interested parties agree to this, the implementation of the second paragraph may be waived.
6. The administrative body may, at the request of an interested party or otherwise, decide not to implement the second paragraph if confidentiality is required for serious reasons. Parties will be informed if this is the case.
7. Serious reason does not pertain in cases where, in pursuance of the Dutch Government Information (Public Access) Act (*Wet openbaarheid van bestuur*), there is an obligation to grant a request for information as contained in the documents in question.
8. If serious reasons exist due to fear of harm to the physical or mental health of an interested party, inspection of the documents in question may be reserved for an authorised person, who is either a lawyer or a physician.

Article 7.5 of the Awb

1. Unless the hearing is carried out (in full or partly) by the administrative body itself or by its chair or one of its members, the hearing will be carried out by:
 - a. a person who was not involved in the preparation of the challenged decision,
 - b. a group of several persons whose majority, including the person who chairs the hearing, was not involved in the preparation of the decision.
2. Unless provided otherwise by law, the administrative body decides whether the hearing will be public.

Article 7.11 of the Awb

1. If the objection is admissible, the challenged decision will be reconsidered based on that admissibility.
2. If the reconsideration gives reason to do so, the administrative body will revoke the challenged decision and make a new decision if applicable.

Article 7.12 of the Awb

1. The decision on the objection must be based on solid grounds, which are to be specified in the letter of decision. In addition, if the hearing was cancelled in pursuance of [article 7.3](#), the grounds for this must be included.
2. The decision is communicated by sending or delivering the decision to those to whom it is addressed. If the challenged decision was not specifically addressed to one or several interested parties, the decision will be communicated in the same way as the challenged decision.
3. As soon as possible after the decision has been communicated, any interested parties that made their views known in the objection or in the preparation of the challenged decision will be informed of this.
4. [Article 6.23](#) will apply *mutatis mutandis* to the notification referred to in the third paragraph. With a view to the start of the retention period, it must be stated as clearly as possible when the decision was communicated in accordance with the second paragraph.

Article 7.13 of the Awb

1. This article applies if, for the purpose of making a decision on the objection, an advisory committee was formed:
 - a. that consists of a chair and at least two members,
 - b. of which the chair is not part of and does not work under the responsibility of the administrative body and
 - c. that meets any other legal requirements.
2. If a committee is to advise on the objection, the administrative body will inform the party that submitted the objection about this as soon as possible.
3. The hearing is carried out by the committee. The committee may assign the hearing to the chair or to a member who is not part of and does not work under the responsibility of the administrative body.
4. The committee will decide on the implementation of [article 7.4](#) paragraph 6 and [article 7.5](#) paragraph 2 and, unless provided otherwise by law, of [article 7.3](#).
5. A representative of the administrative body will be invited to the hearing and given the opportunity to explain the position of the administrative body.
6. The committee's advice will be given in writing and will contain a report of the hearing. If the decision on the objection diverges from the committee's advice, the reasons for that divergence will be stated and the advice will be forwarded together with the decision.

Appendix 10 REGULATIONS FOR LEGAL PROTECTION OF DECISIONS CONCERNING EDUCATION
(COBEX)⁸

Adopted with the consent of the Participation Council on 6-3-2012/Executive Board decision no. 2012/280

Article 1 Examination Appeals Board

1. The HAN Examination Appeals Board, hereinafter referred to as the Appeals Board, "has been formed as:
 - a. the HAN Examination Appeals Board within the meaning of Article 7.60 paragraph 1 of the Act;
 - b. The HAN Examination Appeals Board, for CROHO registered Masters degrees, in accordance with the decision made by the institutional board on 6 March 2012 no. 2012/280.
2. The Appeals Board is located in the HAN administrative building in Arnhem and holds hearings in that building, in so far as the board has not given notification of a different hearing location as referred to in article 2 paragraph 2.

Article 2 Size and composition, establishment of divisions

1. The Appeals Board has a chair, two deputy chairs, eight members, four of which belong to the HAN teaching staff and four enrolled as students, as well as two deputy members.
2. The Appeals Board forms two divisions. One division holds its session in Arnhem and the other in Nijmegen.
3. Each division has three members:
 - a. a member who is not part of the HAN community. This member is also the chair. He or she must meet the requirements to qualify for an appointment as a district court judge and is preferably a member of the judiciary;
 - b. one member belonging to the HAN teaching staff;
 - c. one members who is enrolled as a HAN student.
4. The members of the Appeals Board may be appointed to either of the divisions.
5. In departure from paragraph 3, the chair of the Appeals Board may decide in complicated cases to compose the Appeals Board of five instead of three members, including a chair/deputy chair, two members from the teaching staff and two student members.
6. The members and deputy members are appointed by the Executive Board. Members from the HAN community are appointed on a recommendation given by the participation council. When nominating members and deputy members, the participation council will ensure the most even distribution of representation of the different HAN faculties possible. The members are not part of the Executive Board or the Inspectorate.
7. Members and deputy members of the Appeals Board are appointed for a period of three years on the understanding that the student members among them are appointed for a term of one year.
8. At their request, members and deputy members of the Appeals Board will be granted discharge by the Executive Board Upon reaching the age of seventy, members and deputy members will be granted discharge as of the month following their seventieth birthday. Members will be dismissed if they are unable to perform their jobs owing to illness or disability, or if they are not suited to perform their job due to a conviction for a serious offence by an irrevocable court judgement. Prior to dismissal on the grounds of what is stated in the third sentence, the person concerned will be informed of the intended dismissal, and he or she must be given the opportunity to be heard.
9. Members and deputy members may be awarded an honorarium by the Executive Board.
10. The Appeals Board is assisted by an official secretary, who is appointed by the Executive Board from amongst the general support and management staff at HAN. At the chair's request, the Executive Board may appoint one or more deputy official secretaries.
11. In performing their tasks, the official secretary and the deputy official secretaries will follow the chair's directions.

Article 3 Powers of the Appeals Board

1. The Appeals Board rules exclusively on an appeal brought by an interested party as defined in article 4 paragraph 1 or a prospective course participant or Masters student (hereinafter to be referred to as 'student') against:
 - a. decisions as referred to in Article 7.8b, paragraphs 3 and 5, and Article 7.9 paragraph

⁸ Students who have a complaint or dispute can contact the Complaints and Disputes Office at Bureau.klachtenbeschil@han.nl.

- 1 of the Act,
 - b. decisions on whether a student has passed his or her final assessment as referred to in article 7.9d of the Act,
 - c. decisions that are not of general application and are taken on the basis of provisions laid down by or pursuant to Title 2 of Chapter 7 of the Act, with a view to exam admissions,
 - d. decisions taken on the basis of additional investigation, referred to in article 7.25 paragraph 5 and 7.28 paragraph 4 of the Act,
 - e. decisions taken by Boards of Examiners and examiners,
 - f. decisions taken by the boards as referred to in article 7.29 paragraph 1, and
 - g. decisions taken on the basis of article 7.30b with a view to admission to the degree course referred to in that article.
2. A refusal to decide will be equated with a decision. A decision that is not taken within the time limit set by or pursuant to the law or, if no such time limit exists, is not taken within a reasonable time frame, will be deemed to have been refused.

Article 4 Appeal procedure

1. Appeals may be lodged by an interested party. Interested parties are students, former students, prospective students, external students, prospective external students or former external students. This appeal is lodged by filing a reasoned letter of appeal.
2. The letter of appeal is lodged to the official secretary of the Complaints and Disputes Office (by email at bureau.klachtengeschil@han.nl), who notes the date of receipt on the letter and forwards it to the chair.
3. The letter of appeal must be submitted within six weeks after the day on which the student was informed of the challenged decision.
4. If the letter of appeal is lodged after the term referred to in the previous paragraph, it will not be declared inadmissible if the person submitting the objection cannot reasonably be judged to have been in default.
5. The letter of appeal must be signed by the person submitting it and should contain:
 - a. his or her name, address and telephone number;
 - b. the date on which the person is lodging the appeal;
 - c. a clear description of the decision challenged by the appeal, if possible with a copy of that decision. If the appeal challenges the refusal to make a decision, a clear description of the decision that should have been made in the opinion of the person lodging the objection should be included;
 - d. the grounds on which the appeal is based;
 - e. the signature of the person lodging the appeal.
6. The chair checks whether the letter of appeal complies with the provisions in paragraph 5. If the letter of appeal does not comply with those provisions, the chair will immediately notify the submitter of this and will ask him or her to rectify the omission within a stipulated time. The decision-making period will be suspended as long as the submitter has not rectified the omission. If the submitter does not rectify the omission within the stipulated time, the appeal will be disallowed.

Article 5 Obligatory attempt to reach an amicable settlement

1. Before considering the appeal, the Appeals Board will send the letter of appeal to the body that has submitted the challenged appeal, inviting it to consult with the persons in question to see whether an amicable settlement of the dispute can be achieved.
2. If the appeal is directed against a decision made by an examiner, the letter of appeal referred to in the first paragraph will be sent to the board of examiners.
3. The body in question will notify the Appeals Board within three weeks of the outcome of this consultation, and will submit the related documents.
4. If it has not been possible to reach an amicable settlement, the Appeals Board will handle the letter of appeal.

Article 6 Letter of defence

1. If an amicable settlement has proved impossible, the body in question will send a letter of defence to the Appeals Board within 15 working days of receipt of the invitation, as referred to in article 5 paragraph 1.
2. If the appeal is lodged against a decision made by an examiner, a letter of defence from the examiner in question will be enclosed.
3. The chair may decide that the letter of defence may be filed later, within a term he or she considers

reasonable.

4. Besides the letter of defence, the chair may take the initiative to seek and request any information and documents he or she deems necessary. The bodies and members of staff as well as the examiners will provide the Appeals Board with any information that the Appeals Board requires to carry out its task.

Article 7 Composition of the board; challenge of members

1. The Appeals Board immediately informs the parties of its composition as referred to in article 2 paragraph 3.
2. If one of the parties holds that, based on facts and circumstances, an impartial judgement on the part of a member or the board is hampered, this party may challenge the member in question. A member of the board may also claim exemption based on such facts and circumstances.
3. A request to challenge a member or claim exemption must be made within three working days after receipt of a notification regarding the board's composition. A request to challenge a member or claim exemption is decided by the other members of the board. If the vote is tied, the request is granted.
4. If a request as set out in the previous paragraph is granted, the chair will appoint a deputy to replace the member in question, with due observance of the provisions in article 2 paragraph 3. If the challenge or exemption concerns the chair, he or she will be replaced by the deputy chair.
5. Immediately after a final decision on the composition of the board, the chair will decide if, and if so, when the board will start the preliminary investigation referred to in article 8.

Article 8 Preliminary investigation and hearing

1. If no amicable settlement has been reached, the chair will decide the composition in which the Appeals Board will handle the letter of appeal, taking into account the provisions in article 2 paragraph 3. If the chair is absent or unable to act, his or her deputy will act as chair.
2. The Appeals Board may:
 - a. obtain further written information from parties or other bodies;
 - b. request experts to issue written advice or reports.
3. The Appeals Board may, either in its official capacity or at the request of the parties, involve third parties who have a direct interest in the dispute. Any third party will become a party in the dispute as a result of such involvement.
4. Without prejudice to the provision in the previous paragraph, any interested party may ask the Appeals Board for permission to intervene or join one of the parties. If that request is granted, the person making the request will henceforth be considered a party in the dispute.
5. The Appeals Board may join related cases and separate joint cases.
6. As soon as the chair judges that the relevant facts have been made sufficiently clear through the preliminary investigation, and the factual information required for making a decision has been gathered in the documentation, the chair will set a time and place for the hearing. The official secretary will immediately summon the parties to the hearing. The summon is sent at least 10 working days before the hearing.
7. The appeal will be heard in a public session held by the Appeals Board. In special cases the chair may decide that the appeal will be heard entirely or partially behind closed doors.
8. The parties may let themselves be replaced by an authorised representative and/or assisted by counsel at the hearing. In addition, they may bring witnesses and experts to the hearing, on the understanding that they inform the Appeals Board and the opposing party of the names of those witnesses and experts in writing no later than by the fourth working day before the day of the hearing.
9. The Appeals Board may summon witnesses and experts to the hearing, either in its official capacity or at the request of the parties.
10. If a party fails to appear at the hearing, the chair will check whether this party was properly summoned. If the party was properly summoned, the hearing can continue without the presence of that party. The latter also applies if both parties fail to appear.
11. A called hearing will not take place if, besides the chair, not all summoned members of the committee are present. However, if a student member or a teaching staff member or both are absent, the committee may decide to proceed with the called hearing if the parties agree to this.
12. The chair:
 - a. opens, chairs and closes the hearing;
 - b. gives each of the parties the opportunity to explain its position;
 - c. ensures that the case to be heard is moved towards a decision in a proper and effective manner;
 - d. decides - unless these regulations provide otherwise - on any disputes that may arise

- during the hearing about the manner in which the case is being heard.
13. If the Appeals Board submits documents as written evidence in its official capacity, or if written documents are submitted to the Appeals Board, parties will be given the opportunity to inspect those documents and make their views on those documents known.
 14. The parties may ask each other questions through the intervention of the chair.
 15. Parties may change the content of the appeal and of the defence, as well as the grounds on which these are based, until the close of the hearing, unless the Appeals Board believes that the other party would be unreasonably harmed by such changes.
 16. The chair, either in his or her official capacity or at the request of one of the parties, may suspend the hearing, informing the parties of the time at which the hearing will be resumed or of the manner in which the parties will be informed of this.
 17. The chair may decide not to continue the hearing of witnesses and experts as soon as he or she judges that the witnesses and experts already heard have sufficiently clarified the facts.
 18. If, before the closure of the hearing of the board, the chair holds that the investigation has been incomplete, he or she may decide to suspend the hearing. A decision to suspend the hearing may involve instructions given to the parties for providing evidence.

Article 9 Decision

1. Before the hearing is closed, the chair will announce when the ruling will be given. This decision must be given within 10 working days after the close of the hearing and within 10 weeks of receipt of the letter of appeal.
2. The plenary Appeals Board will deliberate and decide in a closed hearing. The Appeals Board bases the decision exclusively on the documents put forward prior to or during the hearing.
3. The Appeals Board decides by a majority of votes. If the votes are equal, the chair's vote will be decisive.
4. If the Appeals Board considers the appeal well-founded, it will wholly or in part set aside the contested decision. The Appeals Board may decide that the case can be decided again or, if a decision has been refused, it can revisit that decision and rule that the examination, the entrance examination or any part thereof may be resat under conditions to be set by it. The Appeals Board is not authorised to make a new decision to replace the decision that was wholly or partially set aside.
5. The body whose decision set aside will, if necessary, provide for the case again with due observance of the decision of the Appeals Board. The Appeals Board may set a time limit for this in its decision.
6. The decision of the Appeals Board will be dated and contain the following:
 - a. names and addresses of parties and authorised persons;
 - b. the grounds on which the decision is based;
 - c. the decision and;
 - d. the names of the members of the Appeals Board who made the decision. If appeal is possible against the decision, this is stated in the decision.
7. Copies of the decision will be sent to the parties as well as to the Executive Board, the relevant board of examiners and the relevant faculty board. The decision will be made available for inspection in generally accessible places within HAN and its main points will be published in the HAN magazine.

Article 10 Special procedures: preliminary relief and revision

1. If immediate action is required, the chair may grant preliminary relief at the request of the person who submitted the application, in anticipation of the decision in the principal proceedings. Article 4 is also applicable to a request for preliminary relief.
2. The chair will reach a decision regarding that request once the relevant body or relevant examiner has had an opportunity to state its/his or her case, or has been called upon to do so.
3. The preliminary relief will lapse as soon as the Appeals Board has decided in the principal proceedings, unless stipulated otherwise in the preliminary relief.
4. A decision of the Appeals Board may be revised at the request of one of the parties on the basis of new facts or circumstances that may have led to a different decision if they had been known earlier.
5. If necessary, the provisions of these regulations will apply *mutatis mutandis* to the request for revision.

Article 11 Other provisions

1. The official secretary ensures that decisions made by the Appeals Board and any related documents are filed in the Appeals Board's archives.

2. The Appeals Board publishes an annual report about its activities.
3. In cases for which these regulations do not provide, the chair will decide, if necessary after consulting with the other members of the board.

Appendix 11 COMPLAINTS PROCEDURE FOR SEXUAL HARASSMENT, AGGRESSION AND VIOLENCE, BULLYING AND DISCRIMINATION (UNDESIRABLE BEHAVIOUR)⁹

with the consent of the Participation Council on 20-9-2010/CvB-besluitnr. 2010/101

Preamble

The complaints procedure for sexual harassment, aggression and violence, bullying and discrimination, also referred to as the Complaints Procedure for Undesirable Behaviour, is part of the HAN University of Applied Sciences policy to prevent and deal with cases of undesirable behaviour, aggression and violence, bullying and discrimination.

The procedure applies to HAN employees and students.

A safe learning and work environment is an essential condition for the proper functioning of the educational institution. HAN's policy in this regard seeks to decrease psychological work stress. HAN assumes the definition of psychological work stress as defined in article 1.3.e of the Dutch Working Conditions Act (*Arbeidsomstandighedenwet*): 'stress-causing factors of direct or indirect differentiation, including sexual intimidation, aggression and violence, bullying and work pressure, in the working situation'.

These elements impair the ability of staff members and students to work and learn in a carefree manner; as such, they harm the institution.

These regulations outline how cases of sexual harassment, aggression and violence, bullying and discrimination can be reported and processed by operation of law. The procedures described in these regulations are designed to ensure that the interests of all persons concerned are respected and that reports and complaints are handled with due care.

These regulations are regulations as defined in article 7.57h of the Act, Section U of the 2018-2020 Collective Labour Agreement for Universities of Applied Sciences (CAO-HBO) and article 3 paragraph 2 of the Working Conditions Act.

Chapter 1 General

Article 1 Terms and definitions

The following definitions are used in these regulations:

- a. *Accused*: the person about whose behaviour a complaint has been made to the confidential adviser or submitted to the Complaints Committee.
- b. *Act*: Higher Education and Research Act (*Wet op het hoger onderwijs en wetenschappelijk onderzoek*).
- c. *Aggression and violence*: incidents during which a staff member or student is psychophysically or physically harassed, threatened or attacked under circumstances directly related to his or her work or studies.¹⁰
- d. *Bullying*: all forms of intimidating behaviour of a structural nature by one or more staff members (colleagues, managers) and students targeting a staff member or a group of staff members, or a student or a group of students, who is/are unable to defend himself/herself/themselves against that behaviour.
- e. *CAO*: the collective labour agreement for higher professional education.
- f. *Challenge*: when a complainant or accused, in accordance with Article 15, Expresses his or her opinion that, based on facts and/or circumstances, the impartiality of a judgement of a member or the chair of the Complaints Committee is in dispute, with the intention of having that member replaced.
- g. *Complaint*: any statement by a student or staff member submitted to the Complaints Committee as described in article 18 of these regulations about alleged undesired behaviour.
- h. *Complaints Committee for Undesirable Behaviour*: the Complaints Committee as defined in Chapter 4 of these regulations, with the duties and powers as described in articles 16 and 17.
- i. *Complainant*: a student or staff member of HAN who has experienced unacceptable behaviour and has reported this to the confidential counsellor and/or has

⁹ Students who have a complaint or dispute can contact the Complaints and Disputes Office at Bureau.klachtengeschied@han.nl

¹⁰Aggression and violence entail, among other things, verbally violent behaviour (verbal abuse, insults) and physical violence (kicking and hitting, threatening to use a weapon and/or attacking). Psychological violence may also be concerned: threats, intimidation, exertion of pressure, threatening the home situation and damaging belongings.

- submitted a complaint about this to the Complaints Committee for Undesirable Behaviour.
- j. Confidential counsellor:* a person, appointed by the Executive Board who functions as a point of contact for all HAN students and staff members who have experienced undesirable behaviour, with duties and powers as described in articles 10 and 11.
- k. Discrimination:* direct or indirect differentiation¹¹ including sexual harassment. Direct or indirect differentiation entails a person being treated differently from the way in which someone else in a similar situation is or would be treated based on religion, personal convictions, political affinity, race, gender, nationality, sexual orientation, civil status, age, disability or chronic illness, or a provision that on the surface seems neutral, standard or manner of conduct particularly affects persons of a particular religion, personal convictions, political affinity, race, gender, nationality, civil status, age or hetero or homosexual orientation or with a disability or chronic illness.
- l. Employee:* a person who is employed by HAN based on an employment contract governed by civil law. For the purposes of these regulations, those assigned to HAN by means of temporary employment, traineeship or secondment contract, as well as those who are active within HAN based on a volunteer contract or otherwise are equated with a staff member.
- m. Executive Board:* the Executive Board of the HAN University of Applied Sciences.
- n. Exemption:* the right of the confidential counsellor (Article 9) and member of the Complaints Committee (Article 15) to withdraw so as to ensure that impartiality continues to be sufficiently safeguarded.
- o. Faculty:* one of the HAN faculties, which in the context of these regulations is at any rate understood to mean: the Faculty of Economics and Management, the Faculty of Engineering, the Faculty of Education and the Faculty of Health and Social Studies.
- p. Faculty board:* the board of a HAN faculty.
- q. HAN:* HAN University of Applied Sciences in Arnhem and Nijmegen; which includes the faculties and Services Department of HAN and any similar, future divisions, such as legal persons or joint ventures in a parent-subsidiary relationship administratively controlled by the HAN Executive Board.
- r. Member of HAN:* a student, a staff member, a member of the Executive Board or a member of the Supervisory Board.
- s. Report:* any statement made to a confidential counsellor by a student or staff member concerning undesirable behaviour as described in Article 12 of these regulations.
- t. Supervisory Board:* The Supervisory Board of the HAN University of Applied Sciences.
- u. Sexual harassment:* any form of verbal, non-verbal or physical behaviour with a sexual connotation that has the intention of or results in affecting a person's dignity, particularly if a threatening, hostile, offensive, humiliating or hurtful situation is created.^{12 13 14}
- v. Services Department Board:* the board of the Services Department.
- w. Student:* a person who is enrolled at HAN as a student or external student in the sense of the Act or a person who uses the educational facilities at HAN based on a different kind of contract.
- x. Undesirable behaviour:* psychological work stress as defined in the Working Conditions Act. This is

¹¹The term 'discrimination' is not used in the definition, because a link is sought with the existing concepts of 'direct and indirect differentiation' as defined in the equal treatment acts (source: Explanatory Memorandum to the Amendment of the Working Conditions Act).

¹² Persons in situations outside the institution (in particular at work placement addresses) about whom a complaint or a report is filed are not covered by these regulations. The confidential counsellor may assist when such cases occur, by referring the person involved to the procedure that applies at that location.

¹³ A significant element of bullying at work or in a person's studies is the repetition of the behaviour in question through time. As such, a one-off threat does not constitute bullying. This conduct takes many forms but is expressed in particular through words, gestures, acts or threats. This is a non-comprehensive list.

¹⁴ Sexual intimidation can take a number of forms. It may consist of ambiguous comments, unnecessary touching, leering, pornographic images being used at work or in a person's studies, but also of assault or rape. The definition of sexual intimidation indicates that it should also include cases of sexual blackmail, with chances of promotion and decisions about work and studies being made dependent on sexual services being rendered.

understood to mean factors in the work situation that cause stress. This concerns sexual harassment, aggression and violence, bullying and discrimination.

Chapter 2 Special provisions

Article 3 Positions of members of the HAN community

1. No member of the HAN community should be harmed in his or her position and/or interests within HAN as a result of having made a report or filed a complaint, or as a result of being or having been involved as counsel, confidential counsellor or person heard by the Complaints Committee, in a complaints procedure as defined in these regulations. An accused person should not be harmed in his or her position and/or interests within HAN unless the Executive Board decides to impose a measure as defined in articles 33 and 34.
2. Anyone who, in pursuance of these regulations, has knowledge of and/or is in the possession of documentation in relation to a case or possible case of undesirable conduct has an obligation of confidentiality with respect to third parties in regard to that information and must ensure that said documents are not disclosed to any third party.
3. Violation of paragraph 2 of this article may result in a disciplinary measure being imposed, as defined in the articles 33 and 34 of these regulations.

Article 4 Opportunity for proper performance

The Executive Board will enable the confidential counsellors and the members of the Complaints Committee to perform their tasks properly.

Article 5 Confidentiality

All persons concerned will devote the utmost care to safeguarding the confidentiality of any documents disclosed to them. Names and persons will be mentioned in reports or otherwise only if this is necessary in the opinion of the Complaints Committee. Correspondence will carry the predicate 'Personal and confidential'.

Article 6 Adoption and effective date

These regulations are adopted by the Executive Board. The participation council has the right of consent to the intended decision by the Executive Board to adopt or amend these regulations. The regulations will enter into effect on the date provided in article 39.

Article 7 Referencing the regulations

These regulations may be referenced as 'Complaints and Reporting Regulations for Undesirable Behaviour'.

Chapter 3 The confidential counsellor and reporting procedure

Article 8 Confidential counsellors

1. Each faculty board and the Services Department Board nominates at least one confidential counsellor from among their staff members. Subsequently, the Executive Board appoints the confidential counsellors.
2. The Executive Board will take into account an even distribution of the confidential counsellors across the various HAN locations.
3. The internal confidential counsellors are HAN staff members.
4. The following persons cannot be appointed as confidential counsellors: members of the Supervisory Board, members of the Executive Board, members of a faculty board, members of an institute board, members of a department board, members of the Services Department Board, heads of a service unit, and staff members of the Human Resources Service Unit.
5. The nomination of confidential counsellors takes place with due observance of the principle that at least half the total number of confidential counsellors should be women, and there must be at least one male confidential counsellor.
6. For decisions based on paragraphs 1,2 and 4, the Executive Board will seek the advice of a representative of the confidential counsellors.
7. When a vacancy for a confidential counsellor is published, the Executive Board will inform the

participation council about how it wished to fill the vacancy based on the following characteristics: male-female, Arnhem-Nijmegen, which building, which faculty/institute or Services Department/service unit, general-specialist (for English or German speaking persons, persons with or without a migrant background), and the manner of recruitment ("open" application, approach of suitable candidate already known).

8. One his/her appointment, the newly appointed confidential counsellor will take the certification course for confidential counsellors.

Article 9 Exemption

1. A confidential adviser may claim exemption if:
 - a. He or she is functionally involved in a filed report as defined in Article 12 or in the filing of a complaint as defined in Article 18;
 - b. The accused and the confidential counsellor in question are related.
2. A confidential counsellor may claim exemption on the grounds that he or she cannot, or can no longer, reasonably be expected to function as the complainant's confidential counsellor.

Article 10 Tasks

1. The following comprises the tasks of a confidential counsellor:
 - a. Registering the number and kind of reports as defined in article 12;
 - b. Advising those who file a report as defined in article 12;
 - c. At the complainant's request, offering support in submitting a complaint as defined in article 18;
 - d. At the complainant's request, investigating possibilities for mediation between the complainant and the accused;
 - e. At the complainant's request, helping to find possibilities to file a report or submit a complaint at an external location where studies or work are/is carried out;
 - f. Where needed and desired, referring the complainant to specialised support agencies;
 - g. Signalling problems and structural problems within HAN that lead to undesirable behaviour at HAN;
 - h. Taking responsibility for a safe working and learning environment and promoting this by providing both solicited and unsolicited advice. In addition, formulating recommendations in the area of preventing and combating undesirable behaviour.
2. The confidential counsellor can draw the complainant's attention to the option of reporting to the police and the justice department.
3. If the accused contacts the same confidential counsellor as the complainant, this confidential counsellor will be unable to assist both the complainant and the accused.
4. The confidential counsellor initiates a meeting at least twice annually with the faculty director and/or institute director or the education manager, about problems that have been indicated, observed trends or other dilemmas relating to undesirable behaviour.

Article 11 Powers

The confidential adviser is authorised to:

1. Consult one or several other confidential counsellors;
2. Gain access to all faculties, the Services Department, and other HAN departments and to hold meetings with students and staff members and seek information;
3. Inspect relevant documents, for example absenteeism records;
4. Arrange aftercare for the complainant;
5. Make recommendations and advise the Executive Board and the board of the faculties and the Services Department.

Article 12 Reporting procedure

1. A report is filed with the confidential counsellor as soon as possible, but at least within one year after the incident or the latest incident to which the report refers.
2. A report can be made orally or in writing. Written submissions should at least state content, time and place of confrontation as well as the names of the complainant and the accused.
3. Anonymous reports will not be considered.
4. If the complainant or the accused has already left HAN, the report will either not be processed or the handling process will be discontinued unless, in the opinion of the confidential counsellor, both HAN and the person who filed the report have a substantial interest in doing so.

Article 13 Registration and reporting

1. The confidential counsellor will keep an anonymous registration of the number, nature and severity of cases that he or she has handled, as well as of settled cases and the outcomes of mediations.
2. The information referred to in the first paragraph, as well as the observed trends and shifts in the nature of the reports, is included in the annual report, in compliance with the adopted format for the annual report.
3. Each year the confidential counsellor discusses the content of the annual report with the faculty director.
4. Each year in April the confidential counsellor discusses the contents of the annual report with the Executive Board, and specifically the recommendations that help ensure a safe working and learning environment. Each year in October the confidential counsellor discusses with the Executive Board the current state of affairs regarding the given recommendations..

Chapter 4 The Complaints Committee for Undesirable Behaviour

Article 14 Composition

1. The Complaints Committee consists of two members and deputy members and a chair and deputy chair. The Complaints Committee is assisted by an official secretary who is not a member of the Complaints Committee.
2. The Executive Board appoints the chair, deputy chair and the members for a term of three years. They may be reappointed.
3. A member is appointed on the recommendation of the Participation Council.
4. The chair and deputy chair are not members of the HAN community. The chair and deputy chair must meet the requirements for appointment as a judicial officer and have experience in handling complaints. The other members and deputy members are members of the HAN community.
5. The following persons cannot be appointed as members of the Complaints Committee: members of the Supervisory Board, members of the Executive Board, members of a faculty board, members of an institute board, members of a department board, members of the Services Department Board and heads of a service unit.

Article 15 Right to claim exemption and challenge a member

1. The chair informs the complainant and the accused of the composition of the Complaints Committee.
2. If one of the parties holds that, based on facts and circumstances, an impartial judgement on the part of a member or the chair of the Complaints Committee is hampered, this party may challenge the member or the chair in question. A member or the chair of the committee may also claim exemption based on such facts and circumstances. A member or the chair of the Complaints Committee should always seek exemption if he or she is part of the same institute / service unit to which the complainant and/or the accused belongs, or if he or she is otherwise functionally involved, or if that member or the chair and the complainant and/or the accused are related.
3. A request to challenge or claim exemption must be made within three working days after receipt of a notification regarding the Complaints Committee's composition. A request to challenge a member or claim exemption is decided on by the other members of the Complaints Committee within five working days. If the vote is tied, the request is granted.
4. If a request as set out in the previous paragraph is granted, the chair will appoint a deputy to replace the member in question, with due observance of the provisions in article 14. If the challenge or exemption concerns the chair, he or she will be replaced by the deputy chair.
5. Immediately after a final decision on the composition of the Complaints Committee is reached, the chair will decide whether, and if so, when, the Complaints Committee will start the preliminary investigation as referred to in article 23.

Article 16 Tasks

The Complaints Committee has the following tasks:

1. To investigate the complaints submitted as referred to in Article 18 and report to and advise the Executive Board about these complaints;
2. To provide the Executive Board with an annual, anonymous report on the work performed. Part of this report is an overview of the number, nature and settlement of the cases in which persons have contacted the Complaints Committee. That information is included in the annual report.

Article 17 Powers

The Complaints Committee has the following powers:

1. The right to hear staff members, students and other parties involved at HAN;
2. The right to consult experts;
3. The right to access all the faculties, the Services Department and other HAN units;
4. The right to inspect relevant documents. Leave to inspect personnel files must be sought from the head of the Human Resources Service Unit.

Chapter 5 The complaints procedure

Article 18 Filing a complaint: formal requirements

1. The complaint should preferably be sent by email to bureau.klachtengeschild@han.nl or in writing in a sealed envelope marked 'Vertrouwelijk' (confidential) by an individual complainant and addressed to the secretarial office of the Complaints and Disputes Office, to the attention of the chair of the Complaints Committee for Undesirable Behaviour, as follows:
Bureau Klachten en Geschillen
t.a.v. de voorzitter van de Klachtencommissie grensoverschrijdend gedrag
Postbus 6960, 6503 GL NIJMEGEN
Receipt of the complaint will be confirmed in writing. The secretary will note the date of receipt on the letter of complaint and forward a copy to the chair of the Complaints Committee.
2. The complaint signed by the complainant includes at least:
 - a. the date;
 - b. the complainant's name, address, telephone number and email address;
 - c. the identity of the accused and his or her capacity as a student or employee or other capacity;
 - d. a clear description of the matter to which the complaint refers, stating the place, date, and if possible, time;
 - e. When applicable, the names of witnesses.
3. If a complaint fails to meet some or all of the requirements listed in paragraph 2 of this article, the person filing the complaint is informed of this by the chair of the Complaints Committee and given the opportunity to rectify this within a term to be set by the chair.

Article 19 Filing a complaint: substantive requirement

1. The complaint is filed no later than one year after the incident or most recent incident to which the complaint relates.
2. If the incident to which the complaint relates is being handled as a report by the confidential adviser, the chair may extend the period for submission once by three months at most on a reasoned request from the complainant or accused.

Article 20 Inadmissibility

1. The chair of the Complaints Committee may immediately declare a complaint inadmissible if it fails to meet the definitions of undesirable behaviour and complaint in article 1, and/or if the requirements in articles 18 and 19 are not met, or if the complaint cannot reasonably be admitted for a different reason.
2. If the complainant or the accused leaves or has left HAN, the complaint is declared inadmissible. However, the Complaints Committee may make a reasoned decision to handle the complaint, or continue to handling it, if it believes that it is in the interest of HAN and/or the complainant for future situations to investigate whether the challenged conduct is or is not appropriate in the HAN community.
3. The complainant as well as the Executive Board and, where applicable, the board of the faculty in question or the Services Department Board, will be notified of the decision within two weeks after the complaint was submitted or, if article 18 paragraph 3 applied, no later than two weeks after the end of that period. If the accused has been informed of the complaint, he or she will also be notified of the decision.
4. The complainant can put the decision defined in paragraph 1 of this article to the Executive Board within 10 working days, requesting the board to have the Complaints Committee handle the complaint. The Executive Board will make a decision on this request no later than 15 days working after receiving it.
5. If the Executive Board decides that the Complaints Committee should handle the complaint, the

deputy chair will take the chair's place.

Article 21 Joinder

If two or more complaints have been submitted against the same accused and relate to the same facts, the chair may decide to handle the complaints jointly. One or more complainants may submit a reasoned objection for privacy reasons against joint treatment within three working days. The chair will decide within five working days after receipt of such written objections.

Article 22 Forwarding the letter of complaint; letter of defence

1. After a letter of complaint is received, a copy is immediately sent to the accused, to the Executive Board and, where applicable, to the board of the faculty or the Services Department.
2. The accused has the opportunity to send the Complaints Committee a letter of defence within a term of at least three weeks to be set by the chair. After the Complaints Committee has received the letter of defence, a copy is made available to the complainant.

Article 23 Investigation

1. The Complaints Committee begins the investigation into the facts and relevant circumstances of the complaint as soon as possible, and in any case no later than six weeks after receipt of the complaint, unless the complaint is immediately declared inadmissible, in accordance with article 20, or unless there is an urgent reason as defined in article 25, or unless the Complaints Committee makes a reasoned decision to declare it inadmissible for other reasons.
2. Further documents for the hearing may be submitted up to five working days before the hearing. The Complaints Committee will ensure that the parties can inspect any documents submitted by their opponents in a timely fashion.
3. The parties will receive a written summons to appear at the hearing.
4. The investigation takes place during a closed hearing during which the parties are heard in each other's presence, unless the Complaints Committee, in response to an explicitly reasoned request from the complainant or the accused, or based on the circumstances of the case, decides to hear the parties separately.
5. The Complaints Committee, in response to a reasoned request from the complainant and/or the accused or otherwise, may hear one or several witnesses and informants and order the submission of certain documents. A request to have witnesses and/or informants heard should be submitted to the Complaints Committee in writing no later than one week before the date of the hearing. Any costs for the hearing of witnesses and/or informants are covered by the Complaints Committee.
6. Up to one week before the hearing, witnesses who wish to remain anonymous on account of a well-founded fear of threats by or on behalf of one of the parties may submit a written request to the Complaints Committee to protect details of their identity. If this request is granted, the witness involved will be heard in a separate hearing by the chair of the Complaints Committee and at least one other member, in the presence of the official secretary.
7. The parties may seek the assistance of counsel.
8. The Complaints Committee, either at the complainant's request or otherwise, may decide that his or her confidential counsellor should be present at the hearing.
9. The official secretary will make a written report of the hearing for the benefit of the Complaints Committee. The report contains the names and positions of those attending and a concise description of the hearing.
10. If paragraph 6 of this article is applied, in departure from paragraph 9, the report of the hearing will not contain any information from which the identity of the witness can be derived.
11. If parties, witnesses and/or persons involved are heard separately, the report as mentioned in paragraphs 9 and 10 of this article will be presented to them within a week after the hearing. By signing the report, they declare that the report is a good representation of the signatory's examination. If a person or party heard does not agree with the report, he or she is entitled to add written comments to the report. Subsequently the report, including such comments, will be made available to the other party.
12. If parties, witnesses and/or persons involved are heard separately, the party/parties who was/were not present at the hearing and, where applicable, the councils and the confidential counsellor, will be informed of its substance.

Article 24 Obligation to appear

1. Everyone who falls under the operation of this procedure and is summoned to be heard by the Complaints Committee, including at least the complainant, the accused and the witnesses, is

- obliged to appear before the Complaints Committee and to provide the information requested.
2. If a student fails to comply with the summons of the Complaints Committee, the Complaints Committee may ask the Executive Board to impose measures in accordance with article 11 paragraph 3 of the General Code of Conduct (Appendix 1 to the HAN Student Charter). Paragraphs 4 and 5 of Article 11 of the General Code of Conduct will apply by *mutatis mutandis*.
 3. If a staff member fails to comply with the summons of the Complaints Committee, the Complaints Committee may request that the Executive Board impose a disciplinary measure in accordance with Section P of the collective labour agreement for higher professional education (CAO-HBO).

Article 25 Suspension of handling a complaint for urgent reasons

The Complaints Committee has the authority to suspend its handling of a complaint for urgent reasons. A judicial inquiry into the conduct to which the complaint relates may constitute an urgent reason.

Article 26 Withdrawal of a complaint

1. The complainant may withdraw a complaint while the procedure is ongoing. The Complaints Committee is informed of this decision in writing. The decision may also be announced orally at the investigation during the hearing; in this case, this will be put into a report immediately and the report will be signed by the complainant.
2. After a complaint is withdrawn, the Complaints Committee will not handle the complaint further and will notify the parties of this in writing, with a copy to the relevant confidential counsellor(s), to the Executive Board and, if applicable, to the board of the relevant faculty or Services Department. The Complaints Committee may advise the Executive Board to facilitate the rehabilitation of the accused.

Article 27 Consultation and decision-making

1. The Complaints Committee will consult and decide in chambers. The Complaints Committee bases its decision exclusively on the documents made available for inspection, as well as on what was put forward or accepted during the hearing without detriment to the other party.
2. The Complaints Committee decides by a simple majority of votes.

Article 28 Term for decision

1. The Complaints Committee will make its decision no later than six weeks after the parties are heard. If witnesses were heard after the hearing, this term will commence on the day following the day on which the last witness or witnesses were heard.
2. The term stipulated in paragraph 1 of this article does not include the period of suspension for urgent reasons as defined in article 25.
3. The Complaints Committee may extend the term set out in paragraph 1 of this article by four weeks at most. The Complaints Committee informs the parties of such an extension.

Article 29 Contents of decision

1. In its decision, the Complaints Committee declares:
 - a. the complaint wholly or partially inadmissible, or wholly or partially admissible, and/or
 - b. the complaint wholly or partially unfounded, or wholly or partially well-founded.
2. The decision includes the grounds on which it is based.
3. The anonymity of a witness as defined in article 23 paragraph 6 must be safeguarded in the decision.

Article 30 Advice

1. If the complaint is found wholly or partially well-founded, the Complaints Committee may advise the Executive Board in its decisions to take one (or several) disciplinary measure(s) against the accused.
2. If the complaint is found wholly or partially unfounded, the Complaints Committee may, in its decision, advise the Executive Board to facilitate the rehabilitation of the accused.
3. If the Complaints Committee deems the complaint wholly or partially well-founded, it may, in its decision, advise the Executive Board about other measures that the Executive Board is authorised to take.
4. If desired, the Complaints Committee may advise the Executive Board to take measures, general or otherwise, for which the Executive Board is authorised, with a view to preventing situations such as the one to which the complaint related.

Article 31 Publication of decision

1. The Complaints Committee notifies the parties, the Executive Board and, if applicable, the board of the faculty concerned or the Services Department Board, of its decision.
2. A summary of the decision, without personal details, will be published on the HAN website.
3. If requested, the Complaints Committee will hand over to the Executive Board the procedural documents in its custody, including the report drafted by the official secretary. The Complaints Committee may depart from the provision in this paragraph if special interests require this.

Article 32 Filing

The official secretary of the Complaints Committee keeps the files of complaints handled by the Complaints Committee. All information regarding a complaint will be destroyed after 10 years. Members of the Complaints Committee will ensure that documents they receive regarding a complaint are destroyed as soon as the Executive Board makes a decision in accordance with Article 33 or after the complaint is withdrawn in accordance with Article 26.

Chapter 6 Measures

Article 33 Decision by the Executive Board

1. With due observance of the provisions in Sections P and Q of the collective labour agreement or article 7.57h of the Act, or of other provisions, the Executive Board will make a reasoned decision about measures to be taken as soon as possible and no later than four weeks after receipt of the Complaints Committee's decision.
2. The Executive Board will inform the accused and the complainant of its decision in writing. The chair of the Complaints Committee and, if applicable, the board of the relevant faculty or the Services Department Board will receive a copy of the decision.
3. A decision of the Executive Board that leads to a disciplinary measure or disciplinary measures as defined in Article 34 paragraphs 1 and 2 are imposed on an employee will be recorded in the relevant personnel file.

Article 34 Disciplinary measures

1. The following disciplinary measures may be taken against employees in view of and subject to the relevant provisions of the law and the Collective Labour Agreement for Universities of Applied Sciences (CAO-HBO):
 - a. written reprimand;
 - b. transfer;
 - c. suspension;
 - d. dismissal.
2. If one of the measures referred to in paragraph 1 subparagraphs c and d is imposed, access to the HAN buildings and grounds may at the same time be denied for a period of no longer than one year.
3. The measures referred to in paragraphs 1 and 2 may be imposed *mutatis mutandis* on persons equated with staff members in conformity with article 1 under o.
4. The following measures may be taken against students, partly in view of Article 7.57h of the Act and the provisions in Article 11 of the General Code of Conduct (Appendix 1 of the HAN Student Charter):
 - a. a warning;
 - b. written reprimand;
 - c. transfer, possibly with allocation of a different lecture schedule;
 - d. complete or partial denial of access to the buildings and grounds of HAN for a period not exceeding one year;
 - e. denial of access to particular lectures or specified components of a degree course for a period not exceeding one year;
 - f. denial of use of specified facilities for a period not exceeding one year;
 - g. denial of access to particular buildings and grounds used by HAN, for a period not exceeding one year;
 - h. denial of access to all buildings and grounds used by HAN, for a period for a period not exceeding one year;
 - i. termination of enrolment for a period not exceeding one year;

- j. definitive denial of access to the institution;
 - k. termination of the student's enrolment.
5. The measures referred to under 4 h and i may be imposed if a student has caused serious nuisance and had failed to stop this behaviour even after having been warned by or on behalf of the institutional board.

Article 35 Special provisions regarding suspension

1. In view of and subject to Section P of the CAO-HBO, or article 7.57 h of the Act, and the HAN Student Charter and without prejudice to the provisions of this chapter, the Executive Board may suspend the accused for a period of no more than three months if the board deems that the circumstances make this necessary.
2. If the ground for suspension continues after termination of the period determined based on paragraph 1 of this article, the suspension may be extended once for a period of no more than three months.
3. During his or her suspension the accused will have access to the buildings and grounds of HAN only with prior written permission from the Executive Board.
4. Suspension will be imposed based on a decision to that effect and may commence with immediate effect.
5. If a decision to suspend is considered or imposed, the accused will be informed of this in writing, with reasons given. The contents of this article will be pointed out to the accused at that time.
6. The accused will be given the opportunity to defend him or herself. Using this right to a defence does not mean the implementation of the suspension is put on hold.

Article 36 Other measures

1. On the advice of the Complaints Committee, the Executive Board may make a reasoned decision to take alternative measures to the ones listed in articles 33, 34, 35 and 36.
2. On the advice of the Complaints Committee, the Executive Board may decide to take general measures that the board is authorised to impose, with a view to preventing situations like the one to which the complaint related.

Chapter 7 Objection and appeal

Article 37 Objection and appeal

1. Under article 4.5 of the Act and Section S of the CAO-HBO, anyone employed at HAN based on an employment contract may appeal a decision made against him or her by the Executive Board as referred to in Chapter 6. The letter of appeal should be submitted within six weeks of the day on which the appealed decision was sent to the employee in question.
2. Those who are equated with staff members based on article 1 under o can submit a written objection with the Executive Board against a decision as referred to in Chapter 6 made against them by the Executive Board. The written objection must be submitted within six weeks of the day on which the appealed decision was sent to the person concerned.
3. Under Article 7.63a of the Act, a student or external student may present a decision by the Executive Board directed at him or her as referred to in Chapter 6 to the HAN Disputes Advisory Committee within six weeks with the request to issue advice to the Executive Board.

Chapter 8 Final provisions

Article 38 Replacement of members of the Executive Board

If one or several members of the Executive Board are involved in a complaint as complainant or accused, 'Supervisory Board' should be read throughout these regulations where 'Executive Board' is mentioned.

Article 39 HAN academic calendar

All time periods referred to in these regulations will be extended by the holiday periods of employees and students, as listed in the HAN academic calendar.

Article 40 Disputes and unforeseen circumstances

If circumstances occur for which these regulations do not provide, the Executive Board will make a

decision after hearing the chair of the Complaints Committee or a representative of the confidential counsellors.

Article 51 Effective date

These regulations will enter into effect as of 1 January 2009.

Appendix 12 COMPLAINTS REGULATIONS¹⁵

Article 1

1. Complaints may be filed by current, prospective or former students and by current, prospective or former external students.
2. These regulations pertain only to complaints that do not fall under the regulations governing undesirable behaviour, or the legal protection regulations governing education, or the regulations of the Disputes Advisory Committee.

Article 2

1. Complaints can be filed orally or in writing (by letter or email) with the Complaints and Disputes Office. Postbus 6960, 6503 GL Nijmegen, or preferably by email to Bureau.klachten@han.nl.
2. The Complaints and Disputes Office sends a confirmation of receipt and forwards the complaint to the competent body.

Article 3

In principle, the complaint is handled by the institute director. If the complaint relates to the institute director, the complaint will be handled by the faculty director. The faculty director or the Executive Board may decide to deal with the complaint themselves; If the complaint concerns the Personal Data Protection Act (*Wet Bescherming Persoonsgegevens*), the complaint will be handled by the data protection officer.

Article 4

1. If a written complaint relates to conduct towards the complainant and meets the provisions in paragraph 2 of this article, articles 5 through 10 will apply.
2. The letter of complaint must be signed and contain at least:
 - a. the name, address and telephone number of the person submitting the complaint;
 - b. the date;
 - c. a description of the behaviour challenged by the complaint.
3. If the complaint is made orally or if the complaint does not relate to behaviour towards the complainant, it will be up to the person handling the complaint to decide whether the complaint will be handled based on articles 5 through 10.

Article 5

A copy of the letter of complaint as well as the related documents will be sent to the person whose conduct the complaint refers to.

Article 6

1. The person handling the complaint will give the complainant and the person to whose conduct the complaint refers the opportunity to be heard.
2. The hearing of interested parties may be cancelled if:
 - a. the complaint is manifestly unfounded;
 - b. the complainant has stated that he or she does not want to exercise the right to be heard, or
 - c. the complainant has not stated within the period set by the administrative body that he or she wants to exercise the right to be heard.
3. A report will be drawn up of the hearing.

Article 7

1. The complaint must be settled within six weeks of receipt of the letter of complaint.
2. The person handling the complaint may adjourn the settlement for four weeks at most. The complainant and the person to whose behaviour the complaint applies must be notified of the

¹⁵ Students who have a complaint or dispute can contact the Complaints and Disputes Office at Bureau.klachten@han.nl.

adjournment in writing.

Article 8

1. The person handling the complaint informs the complainant, in writing and with reasons given, of the findings of the investigation into the complaint, about his opinion thereon and of any consequences to be attached thereto.
2. A copy of the message dealing with the complaint will be sent to the Complaints and Disputes Office via bureau.klachtengeschild@han.nl.

Article 9

1. If the person handling the complaint fails to settle the complaint in a manner that satisfies the student or group of students in question, he, she or they may write to the Executive Board. The Executive Board may review the contents of the complaint and its procedural aspects. The student may ask the student counsellor for help and advice in submitting the complaint. The student counsellor will not act as counsel to the student in the proceedings, however.
2. No appeal can be made against a decision regarding the handling of a complaint concerning the conduct of a body.

Article 10

1. The person handling the complaint is not obliged to process the complaint if the complaint relates to conduct:
 - a. about which a complaint has already been submitted and handled;
 - b. that took place over a year before the complaint was submitted;
 - c. against which the complainant could object or could have objected;
 - d. against which the complainant may file or may have filed an appeal.
2. The person handling the complaint is not obliged to handle the complaint if the interest of the complainant or the severity of the conduct is clearly insufficient.
3. If a complaint will not be handled, the complainant will be informed of this in writing as soon as possible, at any rate no later than four weeks of receipt of the letter of complaint. The Complaints and Disputes Office will receive a copy of this notification. If the complainant disagrees with the handling party's decision not to handle the complaint, he or she may send a written objection to the Executive Board.

Article 11

The person handling the complaint will keep a record of the complaints submitted to him or her. The recorded complaints will be published annually.

Appendix 14 REGULATIONS ON THE PROCEDURE FOR REPORTING THE USE OF PORTRAITS BY HAN ON INTERNET

Article 1 General provisions

1. A portrait is understood to mean any visible representation on which a person is depicted recognisably (photo, painting, drawing, film or video images).
2. The articles contained in these regulations pertain only to portraits that were not made on the instructions of the student.
3. HAN may use a portrait of a student, if HAN is considered the author of that portrait under the Copyright Act in the interest of education, for the purpose of informing, providing information to or exchanging information with other educational institutions.
4. HAN excludes all liability for losses ensuing from its use of portraits on the internet.

Article 2 Reporting procedure

1. HAN assumes it has permission to publish a portrait on the internet in which a student is depicted in an educational situation, unless the student has a reasonable interest that opposes publication on the internet. If the student has a reasonable interest, the student may state this in writing to the head of the Service Unit for R&E (Research & Education; in Dutch 'Onderzoek en Onderwijs' - O&O).
2. A student may also submit a notification to object in advance to the use of his or her portrait on the internet. This notification must also be submitted to the head of the Service Unit for R&E.
3. The notification should be signed by the person submitting it and contain the following:
 - a. his or her name, address and telephone number;
 - b. the date on which the person is submitting the objection;
 - c. a clear description of which portrait is concerned and the date on which the portrait was created;
 - d. the reasons for the reasonable interest that the student has against publication of the portrait.
4. If a notification fails to meet some or all of the requirements, the person submitting the complaint is informed of this by the head of the Service Unit for R&E and given the opportunity to rectify this within a term to be set by the chair.

Article 3 Decision, time frame, content

1. The Service Unit for R&E will decide within 10 working days after receipt of the notification. The decision must be based on solid grounds, which are to be specified when the decision is announced.
2. The head of the Service Unit for R&E may arrive at the opinion that the complaint is unjustified or fully or partially justified.
3. If the objection is fully or partially justified, HAN will not use the portrait in question on the internet and will immediately remove any portraits that it has already placed on the internet.

Article 4 Unforeseen circumstances

In cases not provided for by these regulations, the announcement will be presented to the HAN Executive Board. The Executive Board makes a decision on the notification based on the documents presented.

Appendix 15 REGULATIONS ON THE REPORTING PROCEDURE UNDER THE WHISTLEBLOWER REGULATIONS

Approved with the consent of the Participation Council on 9 July 2014/Executive Board decision no. 2014/600

Article 1

The following definitions are used in these regulations:

- person concerned:* an employee or student who reports a suspicion of wrongdoing.
employee: a person working at HAN, whether or not under an employment contract.
suspicion of wrongdoing: a suspicion of a HAN employee or student of wrongdoing at HAN to the extent that:
- a. there are reasonable grounds for suspicion based on knowledge the employee or student has acquired at HAN or through their work or activities at another company or organisation, and
 - b. the social interest is at stake due to a violation of legal regulations, a threat to public health, safety or the environment or there is a threat to the good functioning of HAN as the result of inappropriate conduct or negligence.

Article 2

These regulations expressly do not apply to:

- a. reporting personal complaints concerning matters related to work or studies;
- b. reporting conscientious objections related to performing regular duties;
- c. expressing criticism of the policy choices made by HAN within the frameworks established for this.

Article 3

1. The HAN Executive Board will appoint two of its employees who have sufficient knowledge and experience to be able to assess the merits of a report as investigating officers under the Whistleblower Regulations. One of these officers will be appointed on a recommendation from the participation council. One of these officers will be a lawyer. The Executive Board will appoint one of the two officers as chair.
2. In the event of instructions as referred to in Article 5 paragraph 4, the investigating officers under the Whistleblower Regulations may be assisted in their investigation by no more than two persons, appointed by the chair, who are employed at HAN and who have sufficient and demonstrable autonomy, knowledge and experience to assess the merits of a report. Of these two persons, at least one must be a member of the participation council.
3. The persons referred to in paragraphs 1 and 2 jointly form a Committee of Inquiry under the Whistleblower Regulations.
4. The Investigating Officer under the Whistleblower Regulations whom the Executive Board appoints as chair in accordance with article 3 paragraph 1 of these regulations will act as chair of the Committee of Inquiry under the Whistleblower Regulations.

Article 4

1. Unless there are grounds for exemption as referred to in article 8 paragraph 1, an employee must report a suspicion of wrongdoing to his or her immediate supervisor, or if he or she does not consider this desirable, to the person he or she considers responsible for the suspected wrongdoing or, if he or she does not consider this desirable, to a faculty confidential counsellor.
2. Unless there are grounds for exemption as referred to in article 8 paragraph 1, a student must report a suspicion of wrongdoing to the institute director of the degree course he or she is taking or, if he or she does not consider this desirable, to the person he or she considers responsible for the suspected wrongdoing or, if he or she does not consider this desirable, to a confidential counsellor.
3. The employee or student can consult an adviser in confidence if they suspect wrongdoing.

Article 5

1. The person to whom the complaint is reported will record the report in writing, with the date on which it was received, and will have this recording signed by the person concerned for approval, who will receive a copy of it.
2. The person to whom the complaint is reported ensures that the chair of the Executive Board is

immediately informed of the report and of the date on which it was received. This person will also ensure that the chair of the Executive Board receives a copy of the record of the report. If the complaint is related to the Executive Board, the Supervisory Board must be informed of the report and of the date on which it was received.

3. The chair of the Executive Board will immediately instruct the investigating officers under the Whistleblower Regulations to conduct an investigation on the basis of the report.
4. The chair of the investigating officers under the Whistleblowers Regulations will send the person concerned a confirmation of receipt. Reference will be made in the confirmation of receipt to the original report.
5. The handling of the report and the investigation that results from the report will be conducted confidentially. Information about the report, its handling and/or outcome may only be released with permission from the chair of the Executive Board.

Article 6

1. If both investigating officers under the Whistleblower Regulations conclude that there is no question of wrongdoing, no investigation will take place. The person filing the report and the Executive Board will be informed of this.
2. If possible wrongdoing is involved and if one or both of the investigating officers under the Whistleblower Regulations consider it necessary or desirable, the officers will form a Committee of Inquiry under the Whistleblower Regulations together. The person filing the report and the Executive Board will be informed of this.
3. An investigation will be started jointly by the investigating officers under the Whistleblower Regulations or by the Committee of Inquiry under the Whistleblower Regulations. For the purposes of this investigation, they will be authorised to seek all information they consider necessary to formulate their advice.
4. Once the investigation is closed, the investigating officers under the Whistleblower Regulations or the Committee of Inquiry under the Whistleblower Regulations will formulate a report containing the findings of the investigation, a final assessment and any recommendations. The report will be presented to the Executive Board for settlement no later than eight weeks after the instructions referred to in article 5 paragraph 4.

Article 7

1. The Executive Board must notify the person concerned in writing as soon as possible of its substantive point of view on the suspicion of wrongdoing reported by the person concerned. The final assessment of the report referred to in article 6 paragraph 4 will also be given. The chair of the Executive Board will specify the steps to which the report has led.
2. The investigating officers under the Whistleblower Regulations will receive a copy of the notification referred to in paragraph 1.

Article 8

1. In departure from article 4, the person concerned can report the wrongdoing directly to the chair of the Supervisory Board if:
 - a. he or she does not agree with the point of view as defined in article 7 paragraph 1;
 - b. the suspected wrongdoing concerns a member of the Executive Board;
 - c. one of the following grounds for exemption applies:
 1. a situation exists in which the person concerned may reasonably fear retaliation as a result of an internal report;
 2. a statutory obligation or right exists to immediately report on the wrongdoing externally;
 3. a previous report in accordance with the procedure of the same or essentially the same wrongdoing did not remove the wrongdoing;
 4. there is an acute danger, whereby an important and urgent social interest necessitates an immediate external report;
 5. there is a clear threat of embezzlement or destruction of evidence.
2. If a report is made to the chair of the Supervisory Board, 'chair of the Supervisory Board' should be read instead of 'chair of the Executive Board' and 'Supervisory Board' should be read instead of 'Executive Board' in articles 5, 6 and 7 of these regulations.

3. The chair of the Supervisory Board will inform the chair of the Executive Board of its point of view on the report after obtaining permission to do so from the person concerned. Depending on the findings, the chair of the Supervisory Board may give the chair of the Executive Board binding instructions on how to settle the report.

Article 9

1. The person concerned who has reported a suspicion of wrongdoing with due observance of these regulations, may not be prejudiced in any way in his or her position in so far as such prejudice is a consequence of the report.
2. The investigating officers under the Whistleblower Regulations and members of a Committee of Inquiry under the Whistleblower Regulations may not be prejudiced in any way in their positions in so far as such prejudice is the consequence of holding these positions.

Appendix 16 HAN University of Applied Sciences Code of Conduct for Student Counsellors

Introduction

The objective of the code of conduct is to describe the professional activities of student counsellors and to thereby provide a set of guidelines for the performance of their work.

The duties of a student counsellor are based on article 7.34, paragraph 1, subsection d of the Higher Education and Research Act. This provides that every student has a right to the services of a student counsellor. The code of conduct describes professional-ethical principles and rules of conduct. This code of conduct helps set out the rights of students in relation to student counsellors.

Chapter 1 Terms and definitions

The following terms and definitions apply in this code of conduct:

Executive Board	The governing body of HAN as referred to in article 10.2 of the Higher Education and Research Act and article 2.3 of the general part of the HAN Student Charter.
Service-based contact	All contact between the student counsellor and student for the purpose of giving/receiving information, advice or support.
HAN Study Success	A network of second-line supervisors. The student counsellors form part of HAN Study Success.
Student	Someone who, in accordance with article 7.32 of the Higher Education and Research Act and the following, is enrolled or has enrolled as a student at HAN. This also covers external students, contract students and, as the occasion arises, prospective students and former students.
Student counsellor	Someone who, as referred to in article 7.34 paragraph 1 subsection d of the Higher Education and Research Act, has been appointed as a student counsellor at HAN.
Higher Education and Research Act	The Higher Education and Research Act (Wet op het Hoger Onderwijs en Wetenschappelijk Onderwijs) (1992 Bulletin of Acts and Decrees, 593), including later additions or changes.

Chapter 2 General provisions and basic principles

- 2.1 This code of conduct is applicable within HAN University of Applied Sciences.
- 2.2 Every student counsellor who is employed by HAN should comply with this code of conduct in its entirety.
- 2.3 This code of conduct can be accessed digitally by students and other parties concerned. In this way, everyone can keep informed of the existence of this code of conduct before entering into contact.
- 2.4 HAN has a student counselling service. The student counsellor specialises in laws and regulations in higher education (Higher Education and Research Act, Student Finance Act, social legislation, internal HAN regulations) and financial regulations, and plays an advisory role in the cases of circumstances hindering or advancing a student's studies, conflicts, complaints, objections and appeals.
- 2.5 The student counsellor performs their duties within the framework of statutory regulations and internal HAN regulations.
- 2.6 The student counsellor plays a signalling, advisory (solicited or unsolicited) and informing role within the educational organisation.
- 2.7 In principle, the student counsellor has an independent position within the organisation. The student counsellor focuses primarily on the interest of the student, on the understanding that when protecting this interest they are bound by the principles and objectives of HAN.
- 2.8 The student counsellor occupies a position of trust for the students, and handles the personal information provided by students in a strictly confidential manner.
- 2.9 The student counsellor makes a substantial contribution to personal tutoring at HAN. The HAN personal tutoring model makes a distinction between first-line and second-line supervision. First-line supervision concerns personal tutoring within education and second-line supervision is student supervision from supervisors with specific expertise; collectively, these second-line supervisors form the HAN Study Success network.

- 2.10 The student counsellor aims to safeguard the equality of rights of students taking different degree courses.
- 2.11 The student counsellor respects the private life and person of the student.
- 2.12 The student counsellor approaches and deals with each student on an equal basis.
- 2.13 Especially in the case of students in special circumstances, the support is focused on creating the conditions that students need to be able to follow an appropriate course, based on the vision that students should be given as many equal opportunities as possible, in keeping with their possibilities.
- 2.14 Under no circumstances whatsoever should the student counsellor abuse their position and expertise with regard to the student.
- 2.15 The student counsellor refrains from behaviour that could reasonably be construed as undermining the objectives of their position.
- 2.16 The student counsellor is not permitted to accept presents from a student that exceed a relatively small value.
- 2.17 When performing their duties and engaging in direct contact with students (telephone contact and individual discussions), every student counsellor has access to a work or consultation room in order to safeguard confidentiality. The student counsellor also has access to sufficient lockable storage space.
- 2.18 The student counsellor tries to link the student's interests to the interests of the organisation in a balanced way. In relation to this, the student counsellor will not act as the student's representative in legal proceedings, should such proceedings occur.
- 2.19 The student counsellor does not engage in any relationship with the student other than that ensuing from service-based contact. If a different kind of relationship already exists with the student who wishes to enter into service-based contact, the student counsellor should in principle make a referral to another student counsellor, unless they and the student involved are of the opinion that there is no conflict of interests or mixing of roles, nor is this anticipated.

Chapter 3 Service-based contact

- 3.1 Service-based contact is focused on supporting, informing and advising students who, as a result of special circumstances, are experiencing problems in the areas referred to in article 2.4.
- 3.2 Service-based contact must meet the requirements of professionalism, care and expertise that, under the given circumstances, are the responsibility of the student counsellor.
- 3.3 A student has the right, at any time, to make an appeal to a student counsellor, orally or in writing, with a request for information, advice, supervision or help. In principle, this should be the student counsellor whose portfolio includes the degree course followed by the student.
- 3.4 If the student believes that there are reasons to have service-based contact with a student counsellor other than the counsellor to which they have been appointed based on their degree course, they should request this, giving their reasons. Their request will be assessed by the student counsellor team.
- 3.5 Service-based contact is of a confidential nature.
- 3.6 The aim of the contact is to understand, clarify, help to solve or alleviate the student's problem. When necessary, a referral can be made to external assistance- and service-providing bodies.
- 3.7 The student counsellor is obliged to respond within a reasonable period. If the student counsellor is unable to respond in good time, they are responsible for transferring the student to another student counsellor and simultaneously informing the student of this.
- 3.8 In principle, the student is permitted to involve third parties in the service-based contact.
- 3.9 The student counsellor can exclude third parties if their presence, in their opinion, would hinder the clarification/reduction/alleviation of the problem.
- 3.10 The student counsellor will not enter into service-based contact with third parties without the student's express permission. The student counsellor exercises particular restraint in contact with the parents and other close relatives of the student.
- 3.11 The student has the right to abandon the continuation of the service-based contact at any time.
- 3.12 The student counsellor will not terminate the service-based contact without reason. To the extent that this is due to the behaviour of the student, the latter will first be informed of this.
- 3.13 If the student counsellor decides to break the contact, they should justify their decision to the student, if possible advise them on follow-up actions, and possibly arrange for an adequate referral.

Chapter 4 Privacy and confidentiality

- 4.1 The student counsellor is bound to confidentiality with regard to what is disclosed to them while performing their duties. For the rest, the student counsellor works within the framework of the HAN privacy regulations.
- 4.2 Confidential information about a student may only be disclosed to third parties (not being the other student counsellors) if and to the extent that the student has expressly agreed to this, and after the student has been informed of:
 - a. the objective of disclosing the information;
 - b. the time and manner in which the information will be disclosed;
 - c. the content of the disclosed information;
 - d. who the information will be disclosed to and/or who will subsequently become familiar with it. The student's consent will be included in their file.
- 4.3 The student can withdraw their consent for the further disclosure of confidential information to third parties at any time.
- 4.4 In special situations (of imminent danger or imminent harm) in cases where the student has not given their consent for the disclosure of information to third parties outside the team of student counsellors, the student counsellor should break the confidentiality obligation if at least the following conditions are met:
 - a. the student counsellor has done what they could to get the student's consent;
 - b. maintaining confidentiality puts the student counsellor in a moral dilemma, in the sense that not breaking the bounds of confidentiality is likely to lead to demonstrable and serious harm and/or danger to third parties or the student themselves;
 - c. the student counsellor considers it likely that this harm may be prevented or limited by breaking confidentiality;
 - d. the student involved will be informed as soon as possible about the breaking of confidentiality and the reasons for this.
- 4.5 If the student releases the student counsellor from the duty of confidentiality, the student counsellor is not obliged to break the bounds of confidentiality.
- 4.6 The duty of confidentiality remains in place after the termination of the service-based contact.
- 4.7 The student counsellor has the right, including when they do not have permission from the student involved, to discuss anonymised information concerning the student with third parties, provided this information exchange is done to optimise the service-based contact or increase the expertise of the student counsellor, and provided this information exchange does not threaten the student's privacy.

Chapter 5 File management

- 5.1 The student counsellor maintains a record of their contact with the student so they can adequately safeguard the progress and possible transfer of the contact, and that if necessary, they can give an account of the service-based contact.
- 5.2 The student counsellor includes these notes and other relevant information in the student's file. The file is organised and managed such that it ensures the confidentiality and protection of the student's private life.
- 5.3 The student has a right to review, request and, if necessary, correct their file. The student is not permitted to review data from the file relating to the private lives of third parties or confidential information disclosed by third parties to the student counsellor.
- 5.4 The student can request documents in the file of a personal nature by making a justified request to the student counsellor.
- 5.5 The file will be kept for up to ten years after the termination of the service-based contact, after which it will be destroyed.
- 5.6 The student counsellor will destroy the file at an earlier date following a written request from the student.

Chapter 6 Professionalism

- 6.1 The student counsellor is responsible for maintaining and developing their expertise.
- 6.2 Student counsellors engage in regular work consultations.
- 6.3 Student counsellors are subject to regular peer reviews.
- 6.4 The student counsellors produce an annual report each year.

Chapter 7 Final provisions

- 7.1 If a student is of the opinion that a student counsellor has acted contrary to this code of conduct and that they have been directly affected by this, the student can submit a complaint to the Complaints and Disputes Office.
- 7.2 Following the agreement of the participation council, this code of conduct was approved by the Executive Board and came into force on 1 September 2019.
- 7.3 This code of conduct should be cited as 'HAN University of Applied Sciences Code of Conduct for Student Counsellors'.

APPENDIX 17 OMBUDSMAN REGULATIONS

Article 1 Ombudsman

1. There is an ombudsman for students of HAN University of Applied Sciences (HAN).
2. The ombudsman is appointed by the Executive Board, after consultation with the participation council, for a period of two years. Reappointment is possible.
3. In addition to the duties referred to below the ombudsman may make solicited or unsolicited recommendations to HAN staff and/or bodies on bottlenecks experienced in the functioning of the university and on the content and development of general rules and regulations for students.
4. A student or group of students may contact the ombudsman with complaints about undesirable behaviour or situations at HAN, provided the student or students are those with respect to whom the contested behaviour took place or who are in the contested situation.
3. If the behaviour or situation referred to in paragraph 3 is a decision open to appeal at the Examination Appeals Board, before contacting the ombudsman, the student must lodge an appeal against that decision in accordance with the provisions of the Legal Protection Regulations on Decisions Concerning Education (Appendix 10 to the HAN Student Charter) and then appeal to the Board of Appeal for Higher Education. The student may contact the ombudsman only after a decision has been made on the higher appeal.
4. A student or group of students may contact the ombudsman in whichever way they wish to report a situation as referred to in paragraph 4: orally or in writing or by any other means of communication. For address details, see Appendix 18 'Relevant Addresses' to this charter.
5. The ombudsman will advise the students and will aim to reach a solution for the problems that arose by consulting/mediating with the student or students and HAN staff or body/bodies involved.
6. If the consultation or mediation arising from the report referred to in paragraph 5 does not lead to a solution, the student or students can file a complaint with the ombudsman about the behaviour or situation as referred to in paragraph 4 of this article.
7. A complaint can be submitted verbally or in writing to the ombudsman. If the complaint is filed verbally, it must later be recorded in writing by the complainant.
8. If the complaint is manifestly unfounded, the ombudsman will not handle the complaint.
9. The handling of a complaint entails the following:
 - a. the ombudsman discussed the complaint and presents the complaint in writing to the HAN members of staff or the relevant HAN body involved and requests a response;
 - b. the ombudsman informs the complainant of his or her findings and asks for a response or asks additional questions;
 - c. the ombudsman starts an investigation: he or she hears/consults with the employee or employees concerned and other witnesses and experts, and may visit locations if desired. In relation to this investigation, HAN bodies must provide the ombudsman with all of the information that the ombudsman requests in the context of his or her investigation of the complaint;
 - d. the ombudsman makes a report and sends this report to the parties involved, who may respond to it;
 - e. the ombudsman makes a final report, in which the complaint is declared well-founded or unfounded and in which reasons are stated for this decision. If the complaint is declared well-founded, the report will contain recommendations for the individual case or recommendations for similar cases. The report will be published in an anonymised format.
10. A decision in which the complaint is declared well-founded and recommendations are given is not legally enforceable.
11. No appeal may be made against the decision of the ombudsman.
12. The ombudsman publishes a report annually that includes the recommendations made.

Appendix 18 CODE OF CONDUCT FOR HAN EDUCATION TAUGHT IN OTHER LANGUAGES as referred to in Article 7.2 paragraph c of the Act

Article 1 Education in other languages

HAN courses are taught in Dutch and examinations are taken in Dutch. As an exception to this, a different language may be used:

- a. for a degree course relating to that language,
- b. for a course component taught by a guest lecturer who speaks a different language, or
- c. if the specific nature, organisation or quality of the education or the origin of students necessitates this.

The Code of Conduct for HAN Education Taught in Other Languages only applies to subparagraph c.

Article 2 Specific nature, organisation and quality of education

An education component is considered to have a specific nature, organisation or quality if:

- a. knowledge of a language other than Dutch is required for the curriculum or curriculum components;
- b. curriculum components need to be taught in a language other than Dutch as part of the skills set required for the professional field of the degree course;
- c. certain curriculum components need to be taught in a different language as part of the internationalisation aims or international exchange programmes.

Article 3 Internationalisation or international exchange programmes

1. If the education is provided in a language other than Dutch on the grounds of article 2 subparagraph c of the Code of Conduct for HAN Education Taught in Other Languages, the faculty director is required to formulate a transparent internationalisation and quality policy.
2. The education provided in a different language must meet the same quality standards as the education taught in Dutch.
3. The course department should aim for a balanced mix of student nationalities, to give students the opportunity to work in international classrooms.
4. It is not permitted to offer a degree course in a different language if all or most of the students enrolled in that degree course are from border regions and if that degree course does not directly meet strong needs within the Dutch labour market. If all students enrolled in a degree course are from the border region and the course does to comply with the needs stipulated in the previous paragraph, it will be phased out.

Article 4 Authority to use different languages in education

1. The faculty director has the authority to decide to offer a degree course in a language other than Dutch. The faculty director needs approval from the Executive Board to make such a decision.
2. The faculty director may make this decision at the request of the institute director(s) concerned.
3. The faculty director may decide to offer the degree course in a different language only or may decide to offer the degree course in another language alongside the Dutch degree course.
4. Before deciding to use a different language, the institute director obtains advice from various bodies such as the professional advisory committee, curriculum committee and/or the course committee(s).
5. The use of a foreign language may not lead to an increase in the study load of the degree course. The study load of a degree course is expressed in ECTS credits. The number of ECTS credits that a student can obtain by doing a degree course in a foreign language may not exceed the number of ECTS credits that can be obtained in a Dutch degree course.
6. The faculty director is required to attach conditions to the decision to use a different language that guarantee the quality of the course component concerned. These conditions explicitly include the language proficiency of the lecturers involved.
7. An internationally recognised and transparent standard (a Cambridge exam) must be used to determine the required language proficiency as referred to in paragraph 6. The general standard depends on a lecturer's tasks, which at any rate means that:
 - a. level C1 applies as an obligatory target standard for all lecturers who teach in a language other than Dutch;
 - b. a basic standard is set for current lecturers who do not yet meet the C1 level. This basic

standard is set as a starting level for lecturers to teach in an English-taught degree course. Agreements need to be made with these lecturers about obtaining the C1 level.

Article 5 Provision of Information

1. The Education and Examination Regulations must state which subjects are taught fully or partially in a language other than Dutch.
2. If an examination for a unit of study is set in a language other than Dutch this must be stated in the Education and Examination Regulations.
3. The course guide and websites of the degree course should also inform students and prospective students which course tracks are offered in Dutch or a different language.
4. If a Bachelors or Masters course is offered mostly or entirely in a foreign language, the Student Charter, Education and Examination Regulations and possibly other channels used to inform students, such as the course department's website, should be made available in English or the language(s) in which the degree course is provided.

Article 6 Language requirements for exchange students

The contract between the home and host higher education institutions concerning an exchange programme for a degree course offered in a different language should contain agreements on required language levels for the international student. If requested by the Committee for the Code of Conduct in Higher Education, the institute director will provide the contract with the partner educational institution for inspection. An exchange student is a student with a foreign nationality who is studying or has studied at an educational institution located in the Netherlands for a period of 3 to 12 months as part of an exchange programme set up for that purpose, but who is not enrolled as a regular student at that educational institution and will not receive a degree from that educational institution.

Article 7 Reimbursements

The institute director may decide to charge a fee for having a student's language skills, prior education and diplomas evaluated in accordance with articles 2.3 to 2.5 a of the Model EER. This is to be communicated to the prospective students in advance.

Appendix 19 HAN - PROTOCOL FOR DYSLEXIA

Adopted in October 2007; revised version March 2017

Preface

This protocol was first adopted in October 2007 and consequently included in the HAN policy plan for students 'studying with a chronic illness or disability'¹⁶. The protocol specifies which HAN facilities students with dyslexia are entitled to and how students can apply for such facilities. The present protocol is the version that was revised in January 2013 and March 2017.

The exact number of HAN students with dyslexia is unknown, but a realistic estimation is about 2 to 3% of the student population.

Basic principles

1. If a student requests the course department to make specific modifications with respect to his or her dyslexia, he or she must submit an official dyslexia diagnosis.
2. A dyslexia diagnosis is valid only if it has been issued by a certified specialist.
(see later in the text).
3. Diagnoses issued by other professionals or statements that are of questionable validity must be verified by a certified specialist. A verification is also required if there is any doubt about the validity of a diagnosis.
4. The dyslexia diagnosis must specify which difficulties the student encounters in their studies and which modifications would be helpful.
5. A dyslexia diagnosis has an unlimited period of validity. According to the Dutch foundation for dyslexia, Stichting Dyslexie Nederland, dyslexia is for life.
6. Students with dyslexia must notify HAN themselves if they wish to use the facilities that HAN offers.

Facilities

1. Students from all HAN degree courses are eligible for the following if they have a dyslexia diagnosis:
 - extra time during exams (25% of the exam time);
 - exams printed in A3 format.
2. In some cases, students may receive additional types of support. The dyslexia diagnosis must contain instructions for such further support. The board of examiners (or the director of the relevant institute or department) will decide whether such facilities can actually be offered.
3. Students can also use tools such as a reading pen, daisy player or a text to voice program (e.g. Kurzweil) for extra support. Students who wish to use Kurzweil can report to the HAN ServiceDesk. They can also use Kurzweil at home. All exams offices have one or more laptops with Kurzweil that can be used for exams..

Procedure

1. If a student wishes to make use of the above-mentioned facilities, they must submit his or her dyslexia diagnosis to the personal tutor or senior tutor at the start of the academic year¹⁷.
2. The personal tutor or senior tutor assesses whether the diagnosis meets the set criteria.
3. If the diagnosis is approved, the personal tutor or senior tutor discusses with the student whether he or she wishes to use the HAN facilities available for students with dyslexia. The personal tutor or senior tutor will record this in the student's file by means of a study contract.
4. The personal tutor or senior tutor will discuss with the student which steps the student needs to take to be able to use the granted facilities.
5. If the student requests additional facilities, the personal tutor or senior tutor will discuss with the student the procedure for submitting an application for additional facilities with the board of examiners or the director of the institute.
6. If the dyslexia diagnosis is not approved, the personal or senior tutor will refer the student to a certified specialist or to the student counsellors for further information.
7. In principle, the agreements made regarding the facilities apply for the duration of the degree

¹⁶ For the text of the HAN policy plan: www.han.nl/insite/studiesucces > info voor slb-ers > functiebeperkingen (only available in Dutch - please refer to your campus counsellor).

¹⁷ Different terms are sometimes used to refer to **senior tutors**, such as student supervisor, student adviser, personal tutoring task team or personal tutoring coordinator.

course.

Dyslexia test

1. A student who wishes to be tested for dyslexia will be referred to a certified specialist.
2. The student in question will be referred to a certified specialist if there is any doubt about the validity of a diagnosis.

Certified specialist

1. A person is deemed to be an expert on dyslexia testing if, in addition to a university degree, he or she has specialised knowledge in the area of learning disabilities, educational hindrances and psychodiagnostics, and who, for example, works as a child or youth psychologist, a special education generalist or Doctor of Psychology.
A student can apply for a dyslexia test with any certified specialist. The cost of this (often expensive) test is to be borne by the student.

Financial support

1. The student counsellor will help the student search for internal (HAN) or external sources for financial support to cover the costs of purchasing supplementary tools.
2. If the student falls behind in his or her studies as a result of the dyslexia, the student can apply for an extra one-year performance-related student grant with the DUO Education Executive Authority. Students can contact the student counsellor for more information.

For more information:

For more information, you can visit www.han.nl/insite/studiesucces (only available in Dutch - please refer to the campus counsellor).

A lot of information about dyslexia can be found on the website Stichting Dyslexie Nederland (www.stichtingdyslexienederland.nl)

Appendix 20 RELEVANT ADDRESSES

HAN Complaints and Disputes Office

Students with a complaint or dispute can contact the Complaints and Disputes Office

Address:

Secretarial Office
Department of Legal Affairs
Att. Secretary of the HAN Complaints and Disputes Office
Postbus 6960
6503 GL Nijmegen
E bureau.klachtengeschil@han.nl
T 024-3530530, 024-3530539 or 026-3691504

Legal Affairs Desk

Provides people with a low income with advice, information and legal assistance.

Arnhem: Legal Affairs Desk
Ruitersstraat 33 6811
CP Arnhem T
0900-8020

Nijmegen: Legal Affairs Desk
Kronenburgersingel
2 6511 AT Nijmegen
T 0900-8020

www.hetil.nl

Student Counsellors

Sending an email is the fastest way to contact the student counsellors for questions or for making an appointment.

E: studentendecanen@han.nl

Campus Arnhem: Ruitenberglaan 31,

Dorothee Dahl,
Brenda van Koeven
room C2.28
T 026-3691398 or 026-3691417

Campus Nijmegen: Bisschop Hamerhuis

Peter Hoekstra
Marcel Sprengers
room H2.12A
T 024-3531330

Ingrid van der Heijden
room H2.11
T 024-3530246

Astrid Sluis
Dorothee Dahl
Brenda van Koeven
room H2.01B
T 024-3530364

Dutch Data Protection Authority

Prins Clauslaan 60
2595 AJ Den Haag
Postbus 93374
2509 AJ Den Haag
T 0900-2001201
www.autoriteitpersoonsgegevens.nl

Higher Education Appeals Tribunal

Postbus 16137 2500 BC Den Haag
Post can be delivered at Oranjestraat 15, 2514 JB Den Haag.
Ph 070-4264800 / 06-31749275 / 06-11377116.
www.cbho.nl
E info@cbho.nl

The Netherlands Institute for Human Rights

Kleinesingel 1-3
Postbus 16001
3500 DA Utrecht
Ph 0308883888
I www.mensenrechten.nl
E info@mensenrechten.nl

HAN Financial Support Fund Committee

Address:
Secretarial Office of the Department of Legal Affairs
Attn. chair of the HAN Financial Support Fund Committee
Postbus 6960
6503 GL Nijmegen

HAN Elite Sport Coordinator

Lotte Visschers
Papendallaan 51, 6816 VD Arnhem
Postbus 6960 6503 GL Nijmegen
Ph 024-3691483 or 06-46419577
E lotte.visschers@han.nl

HAN Top Entrepreneurs Coordinator

Justin Janssen
Ruitenberglaan 26
6826 CC Arnhem
T 06-36432783
E justin.janssen@han.nl

Expertisecentrum Handicap en Studie (Dutch expert centre for studying with disabilities)

Stationsplein 14
's-Hertogenbosch
Postbus 1585
5200 BP s'-Hertogenbosch
T 073 6800783
I www.handicap-studie.nl
E algemeen@handicap-studie.nl

Interstedelijk Studentenoverleg, ISO

Bemuurde Weerd O.Z. 1
3514 AN Utrecht
Ph 030-2302666
[I www.iso.nl](http://www.iso.nl)
[E iso@iso.nl](mailto:iso@iso.nl)

Dutch National Student Union, LSVb

Drieharingstraat 6
Postbus 1335
3500 BH Utrecht
Ph 030-2316464
[I www.lsvb.nl](http://www.lsvb.nl)
[E lsvb@lsvb.nl](mailto:lsvb@lsvb.nl)

Code of Integrity Office

The office is staffed by Mr A. van Amelsvoord
Kapittelweg 33
6503 GL Nijmegen
and Henri van Boxtel
Ruitenberglaan 26
6826 CC Arnhem
Ph 026-3691516

Student housing

Arnhem: Vivare
Velperbuitensingel 8
Postbus 5265
6802 EG Arnhem
Ph 026-3550200
Opening hours: Monday to Friday from 08.30 to 17.00.
[I www.vivare.nl](http://www.vivare.nl)
[E arnhem@vivare.nl](mailto:arnhem@vivare.nl)

Nijmegen: SSH-Nijmegen
Laan van Scheut 4 Postbus 1175 6501 BD Nijmegen Ph
024-3594939
Opening hours: Monday to Friday from 10.00 to 16.30; Tuesday to 19.00.
[I www.sshn.nl](http://www.sshn.nl)
[E info@sshn.nl](mailto:info@sshn.nl)

Student Chaplaincy

Arnhem: Arnhem Student Point
Kastanjelaan 22-e
6828 GL Arnhem
Ph 06-33790503
[I www.arnhemstudentpoint.nl](http://www.arnhemstudentpoint.nl)
[E mailaanasp@gmail.com](mailto:mailaanasp@gmail.com)

Studentenkerk (Student Church)
Erasmuslaan 9a
6525 GE Nijmegen
Ph 024-3619188
Open on Monday to Friday from 10.00 to 17.00.
[I www.ru.nl/studentenkerk](http://www.ru.nl/studentenkerk)
[E info@studentenkerk.ru.nl](mailto:info@studentenkerk.ru.nl)

Student grants

DUO Education Executive Agency

[I www.duo.nl](http://www.duo.nl)

Ph 050-5997755 (on work days from 9.00 to 17.00)

Arnhem DUO Service Office
Pels Rijckenstraat 1 in Arnhem (only by appointment)