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Technische Universiteit Delft

# Student Charter 2012/2013



# Student Charter 2012/2013

## Delft University of Technology

This is the English version of the Student Charter of Delft University of Technology, published on the TU Delft website: [www.studentcharter.tudelft.nl](http://www.studentcharter.tudelft.nl). It is a translation of the original Dutch version, which should be considered authoritative.

At the time of the publication of this Student Charter it had been announced that, under the terms of a proposal by the VVD and PvdA (the political parties involved in forming a new coalition government), the penalty for students deemed to be taking too long to complete their studies would be abolished, backdated from 1 September 2012. This was confirmed in a letter dated 10 October 2012 from the new government to universities and colleges of further education. The government subsequently submitted a legislative proposal to this effect in late October 2012.

Based on the above, TU Delft has decided the following:

1. Collection of the additional statutory tuition fees will be suspended from October 2012.
2. By December 2012, any additional tuition fees already paid will be transferred to the bank account from which they were originally debited.
3. Enrolment procedures that were suspended because no authorisation had been given for collection of the additional statutory tuition fees will be completed. If authorisation for the collection of the tuition fees was given before 1 October 2012, enrolment will be deemed to be effective from September 2012.
4. Students who decided not to enrol for 2012-2013 because of the rule relating to students exceeding the maximum study duration will be given the opportunity to enrol effective 1 October 2012. Students should have applied for this no later than 1 November 2012. This rule applies only to students who would have been designated as having 'fallen behind' in this year (2012-2013).
5. Students who are not enrolled because they are carrying out administrative activities at the university will now be offered the opportunity to enrol.
6. Objections that have already been submitted will be reviewed at a later point in time.
7. Reimbursements of additional tuition fees imposed on students who fell behind in their studies but who were ruled to have done so due to circumstances beyond their control will not be reclaimed (this applies to refunds relating to September 2012). These reimbursements ceased in October 2012.

Compensation already paid for students on bridging programmes will not be reclaimed (this applies to refunds relating to September 2012). Instead, it will be deducted from the payment of the additional statutory tuition fees for September 2012. Amounts paid in compensation for October 2012 will be reclaimed.

Amendments have been made to various parts of this Student Charter following the introduction of the scheme that obliges students who are deemed to exceed the maximum study duration to pay a penalty. Because of the abolition of the scheme (as announced in October 2012), it has been 'edited out' of the text of Part I (Chapters 3 and 4) wherever possible, and from Appendix 1 of Part III (Policy on fees and enrolment). There was too little time to amend every aspect of the Graduation Support Scheme (RAS) to reflect ongoing developments. However, students will still be able to carry out administrative activities at the university for the 2012/2013 academic year without paying tuition fees, but of course the provisions relating to compensation for the tuition fees surcharge in cases where an RAS payment is made due to circumstances beyond a student's control (Articles 9.3 and 10.3) no longer apply.

Delft, November, 2012



## Student Charter 2012/2013

This is the central part of the Student Charter of Delft University of Technology (TU Delft). The Student Charter describes the relationship between student and institution in terms of their obligations. The charter contains the rights and obligations of the parties involved in the educational process: the student and the institution. The institution's obligations towards the student are described, as is the student's obligation to meet all the requirements of a final degree audit. It is in order to enable him or her to do so that the student is granted the rights according to this charter.

The legal basis of the charter is Art. 7.59 of the Higher Education and Scientific Research Act (WHW). The Student Charter comprises:

- a part relating to the whole of TU Delft,
- a part relating to individual degree programmes.

The content of the degree programme-related part is provided by the faculties. Faculty regulations apply only to the degree programme they concern. Their application is restricted to particular areas and their contents may vary.

This document contains the part of the Student Charter that relates to the whole of TU Delft and therefore concerns all the students at the university. It consists of two parts.

The first contains a description of the rights and obligations of the student as defined by law. It maps out the student's legal position and is thus descriptive in its nature. Included under the term 'law' are those regulations that the Executive Board has to make on a statutory basis, for example the Graduation Support Scheme (RAS). Such regulations are included as appendices to this charter.

An inseparable aspect of the legal position of the student is his or her ability to have the observance of his or her rights enforced. The possibilities to do so are described in the chapter on 'Legal protection'.

In this part the Student Grant Act 2000 (WSF 2000) is frequently referred to but not dealt with separately, as the DUO (Dienst Uitvoering Onderwijs, the former Information Management Group (IBG)), which is responsible for the administration of student grants, has published an extensive series of booklets on this subject ([www.duo.nl](http://www.duo.nl)). The DUO also periodically publishes an Information Magazine, which all students receive by post.

The second part of this charter chiefly focuses on the aspects of the Student Charter that relate to the content of degree programmes.

The appendices contain the complete text of university regulations that are of the most importance to students.

The Higher Education and Scientific Research Act (WHW) has been amended with effect from 1 September 2011. The changes relate to the tuition fees for 'long-term students'. The tuition fee surcharge was not scheduled to come into force until September 2012, but in October 2012 the House of Representatives voted to reverse the measure.

Further information on the meaning and scope of the content of this charter can be obtained from the Front Office of Education & Student Affairs (ESA) (015 – 27 88004), or from the faculties' Academic Counsellors.

Finally: from now on e-mail communication may be used as a legal form of communication for all TU Delft correspondence. However, this will not (yet) apply for any matters requiring a signature, date, or authentication.

See Chapter 12 of Part I for further information.



## *Contents*

Part I: General	6
1 General conditions	6
2 Entrance and admission	8
3 Enrolment	11
3 Graduation support	15
5 Facilities regulation	20
6 Education	21
7 Student and staff representation	26
8 Student facilities	28
9 Internationalisation	33
10 House rules and disciplinary measures	36
11 Legal protection	37
12 Communication	43
Part II: Quality and ‘studiability’	44
Part III: Appendices	47
Appendix 1: Policy on fees and enrolment	47
Appendix 2: Graduation Support Scheme (RAS)	56
Appendix 3: Student Council Regulations	83
Appendix 4: Meetings of the Works Council and the Student Council of TU Delft	94
Appendix 5: TU Delft Executive and Management Regulations	98
Appendix 6: TU Delft Regulations for Complaints concerning Undesirable Behaviour	114
Appendix 7: TU Delft Student Complaints Regulations	121
Appendix 8: TU Delft Student Objections Committee Regulations	124
Appendix 9: TU Delft Examination Appeals Board Regulations	128
Appendix 10: TU Delft Management Regulations for the use of Educational ICT Facilities by Students	131
Appendix 11: TU Delft Regulations for the use of Buildings, Premises and Facilities by Students and Visitors (‘house rules’)	135
Appendix 12: Code of Conduct for the use of English in Master’s degree	140
Appendix 13: Code of Conduct regarding International Students	142
Appendix 14: Facilities regulation for TU Delft Student organisations	148
Appendix 15: Implementation of the binding recommendation on continuation of studies at TU Delft	152

# I.

# General part

## 1.

## General Conditions

### 1.1

#### Definition of terms

In this Student Charter, terms shall be understood as follows:

- a. Act: the Higher Education and Scientific Research Act (WHW) (Bulletin of Acts and Decrees 1992, 593)
- b. AWB: the Dutch General Administrative Law Act;
- c. Charter: the document referred to in Art. 7.59 of the WHW;
- d. Institution: Delft University of Technology (TU Delft);
- e. Degree programme: educational units forming a coherent whole as referred to in Art. 7.3 par. 2 of the WHW, aimed at realising clearly defined objectives in the field of knowledge, insight and skills that a person completing the programme should command;
- f. Student: a person enrolled at TU Delft in order to obtain education and take examinations/degree audits in a degree programme;
- g. External student: a person enrolled at TU Delft in order to take examinations or degree audits;
- h. Examination candidate: a person who is the subject of an examination or degree audit;
- i. Propedeuse: the first-year phase of a Bachelor's degree programme as referred to in Art. 7.8 of the WHW;
- j. Bachelor's programme: an educational programme as referred to in Art. 7.3a et seq. of the WHW;
- k. Master's programme: an educational programme as referred to in Art. 7.3a et seq. of the WHW;
- l. Component: an educational unit of the degree programme in the sense of Art. 7.3, par. 2 of the WHW;
- m. Module: any part of an educational unit that is separately assessed;
- n. Examination: an investigation into the knowledge, insight and/or skills of the examination candidate in respect of a particular component or subject of the degree programme;
- o. Interim examination: an investigation into knowledge, insight and skills in a subject (Where this charter refers to 'examination', 'interim examination' may also be intended.);
- p. Graduation professor: the full professor of the faculty primarily responsible for the teaching and examination of the 'Graduation Project' component.
- q. Practical exercise, as referred to in Art. 7.13 par. 2 subsection d of the WHW. This may include:
  - the writing of a thesis;
  - completion of a project;
  - execution of a research assignment;
  - participation in fieldwork or an excursion;
  - completion of an internship.
- r. Academic year: the period commencing on 1 September and ending on 31 August of the following year;
- s. Term: a period of education that concludes with an examination, or the period prior to the academic year reserved for examinations;



- t. Teaching and Examination Regulations (OER): regulations laid down by the Dean of each degree programme in accordance with Article 9.38 subsection b of the WHW, regulating at minimum the matters described in Article 7.13 par. 2 subsection a to u of the WHW;
- u. University: Delft University of Technology (TU Delft);
- v. Executive Board (CvB): the TU Delft Executive Board.
- w. Higher Education: university education (WO) and higher professional education (HBO);
- x. Open University (OU): the Open University as referred to in Art. 1.3 par. 4 of the WHW;
- y. Dean: where relevant, 'Dean' may be taken to mean 'administration';
- z. Combined student grant: student grant in the form of a grant which may or may not be supplemented by an additional grant and/or an interest-bearing loan in accordance with the Student Grant Act 2000;
- aa. Intake: the students of a particular year;
- ab. Credit: European Credit (EC) according to the European Credit Transfer System, and legally equivalent to 28 hours of study.

## 1.2

### Relationship to the WHW

This charter is a Student Charter as referred to in Art. 7.59 of the Higher Education and Scientific Research Act (WHW). It is principally based on this act. Other acts, for example the Dutch General Administrative Law Act (AWB), are also referred to. The provisions of the Student Charter are only legally valid if and insofar as they do not contravene the law. The charter itself creates rights and obligations. Should the charter be in contravention of the law now or in future, no rights can be derived from it by the student. Consequently the charter must be adapted according to current legislation, for example if the charter conflicts with the law, or a conflict with the law arises due to changes in legislation.

In the case of differences in interpretation between the English and Dutch texts, the Dutch text shall prevail.

It is the responsibility of the Executive Board each year to ascertain whether and to what extent the charter requires revision, and to inform senior students in writing of any important changes at the start of the academic year. The board announces any significant interim changes via the appropriate channels within the university.

## 1.3

### Scope and publication of the charter

The scope of the student charter is limited in principle to the students of TU Delft.

A number of subjects also apply to external students.

TU Delft is obliged to make the charter available to its students each year.

The university chooses to provide the entire text of the statute via the university website ([studentenstatuut.tudelft.nl](http://studentenstatuut.tudelft.nl)). An e-mail containing the most important subjects in the charter together with references to where they may be found in the full document is also sent to every student.

# 2.

## Entrance and Admission

*With the introduction of the Bachelor's-Master's system, a distinction can be made between entrance and admission to the Bachelor's phase (see 2.1 and 2.2) and entrance and admission to the Master's phase (2.5 et seq.). There are also separate rules governing admission to the university programme of teacher-training (see 2.6)*

### 2.1

Prior education requirements (Art. 7.24 to 7.29 of the WHW)

Entrance to a university Bachelor's degree programme can be obtained by a number of means:

- a. Pre-university (VWO) certificate;
- b. University (WO) propedeutic (first-year) certificate;
- c. University (WO) Bachelor's degree certificate;
- d. A propedeutic (first-year) certificate from a University of Applied Sciences (HBO);
- e. A Bachelor's degree certificate from a University of Applied Sciences (HBO);
- f. University (WO) Master's degree certificate;
- g. A certificate approved by the minister, which may or may not have been issued in the Netherlands, and which is deemed equivalent to a pre-university (VWO) certificate;
- h. A certificate recognised by the Executive Board, which may or may not have been issued in the Netherlands, and which the Executive Board judges to be equivalent to a pre-university (VWO) certificate;
- i. A university entrance examination (colloquium doctum).

### 2.2

Additionally required prior education

#### **Profiles**

On 1 August 1998, Profile legislation came into force in the Netherlands. Its effect on university education is that enrolment for a particular degree programme is only possible on the basis of a pre-university (VWO) certificate that relates to a certain academic profile.

#### **Science and Engineering**

The profile 'Science and Engineering' gives right of admission to almost every Bachelor's programme at TU Delft without any further entry requirements applying. Students with this profile are admitted directly to the university's degree programmes. Biology is required for admission to the Nanobiology programme.

#### **Science and Health**

For applicants with the profile 'Science and Health', direct admission is only granted if mathematics B was among the subjects studied and the examination passed. Physics is required for most Bachelor's programmes at TU Delft.

#### **Economy/Culture and Society**

Pre-university (VWO) students with the profile 'Economy and Society' or 'Culture and Society' can only be admitted if, before beginning the degree programme in question, they meet the additional requirements set by the minister in the field of mathematics (all degree programmes), physics (with the exception of Computer Science and Applied Mathematics), chemistry (only required for Life Science & Technology, Molecular Science & Technology, and Nanobiology), and biology (Nanobiology).

#### **Students with prior higher professional (HBO) qualifications**

Students with a propedeutic (first-year) certificate from a University of Applied Sciences (HBO) seeking to gain admission to a Bachelor's programme should have a knowledge of mathematics B, and physics and where necessary chemistry that is equivalent to pre-university (VWO) level. Students with an HBO certificate seeking admission to a Master's programme transfer course must have sufficient knowledge of mathematics B and English: this is deemed to be the case if the University of Applied Sciences (HBO) Bachelor's degree certificate is supplemented with certificates in Mathematics and English (conditions can be found on the website [www.tudelft.nl](http://www.tudelft.nl)). Students with an HBO certificate who also have a pre-university (VWO) certificate are not required to take an English test or, depending on the VWO profile, a Mathematics test either.

## 2.3

## Deficiencies (with the old VWO pre-university certificate)

Regarding entrance to degree audits in each degree programme, the minister has declared the subjects mathematics B and physics to be required for admission to TU Delft. The Executive Board has stipulated that a student will not be enrolled for a chosen degree programme until he or she has made up the deficiencies. This rule also applies to applicants who possess certificates other than VWO pre-university education.

An additional requirement for applicants with qualifications from a country other than the Netherlands is that for Bachelor's degree programmes taught in Dutch they must demonstrate that they have sufficient knowledge of the Dutch language to be able to follow the degree programme successfully.

## 2.4

## University entrance examination (colloquium doctum)

(Art. 7.29 of the WHW)

Admission on the basis of a university entrance examination will only be granted by the Executive Board after investigation by a university committee has established the applicant's suitability to follow the degree programme in question. Knowledge of Dutch is also a requirement in this case. To take a university entrance examination the applicant must be aged 21 years or over. The act of 3 April (Bulletin of Acts and Decrees 170, 1999) stipulates that the Executive Board may also disregard this age limit if in exceptional cases a certificate cannot be provided. This stipulation relates chiefly to refugees.

The requirements of the entrance examination are included in the Teaching and Examination Regulations (OER). Admission granted by the Executive Board on the basis of an entrance examination applies exclusively to the degree programme concerned at the university. Information on the university entrance examination can be obtained from the Front Office of Education & Student Affairs (see Chapter 8).

## 2.5

## Admission requirements for Master's degree programmes

(Art. 7.13 par. 3 of the WHW)

- a.** Master's degree programme following on directly from a Bachelor's degree programme  
To enrol for a Master's degree programme, the applicant must be in possession of a Bachelor's certificate that leads directly on to the Master's programme in question.

Exceptions:

Students who were enrolled as pre-Master's students on 31 August 2012 will be enrolled as Bachelor's students from 1 September 2012, and will be able to take Master's modules until 1 September 2013. (This is in accordance with the hardship clause.) To do so, they must also enrol for the Master's programme. Otherwise, the 'Bachelor's before Master's rule' hardship clause is reserved solely for students who are entitled to take Master's modules for a maximum of one year due to exceptional and unforeseeable circumstances.

From 1 September 2013, any student wishing to start a Master's programme must have successfully completed the Bachelor's programme and/or bridging programme for which participation in the Master's programme is required.

- b.** Admission requirements for other Master's degree programmes

A Bachelor's diploma is required. The admission requirements for a Master's degree programme that does not lead on directly from a particular Bachelor's programme are included in the Teaching and Examination Regulations (OER). A student who wishes to enrol for such a Master's programme should submit a request for a notice of admission to the degree programme's admissions committee. With this notice he can enrol for the Master's degree programme in question. If a student does not yet meet the admission requirements but it may be expected that within a reasonable period of time he or she will be able to do so, he or she may be offered this opportunity.

A detailed overview of the admission possibilities from Bachelor's programmes to Master's programmes within TU Delft can be found on the website [www.doorstroommatrix.nl](http://www.doorstroommatrix.nl).

There are also a variety of possibilities for admission to Master's degree programmes at other universities, technical or otherwise.

## 2.6

## Entrance to the university programme of teacher training

(Art. 7.31 of the WHW)

Before being admitted to the university programme of teacher-training an applicant must be in possession of a notice of admission. This notice is issued by the admissions committee on behalf of the Executive Board. Admission takes place annually, but the minister may determine a maximum number of places available.

TU Delft offers the possibility for a student to become a fully qualified teacher of mathematics, physics, chemistry or computer science. The programmes are at Master's level, and require a total of 120 credits for their completion. For candidates who have already obtained a relevant Master's degree, the requirement is a minimum of 60 credits.

Further information can be obtained from the office of the TU Delft 'Science Education and Communication' research group (tel. 015 - 2785594).

# 3.

## Enrolment

### 3.1

#### Enrolment procedure (Art. 7.32, 7.33 and 7.37 of the WHW)

Anyone wishing to make use of TU Delft educational or examination facilities, or any other facilities relating to education, must be enrolled at this institution. This may be as a student or as an external student.

Enrolment takes place for a single degree programme and in principle for a full academic year. If, in exceptional cases, enrolment takes place in the course of an academic year, it will be valid for the remaining period of that year. It is not possible to enrol retroactively.

The enrolment conditions for a Bachelor's degree programme are:

- completion of sufficient prior education (see chapter 2, Entrance and admission),
- submission of a request for enrolment (through Studielink),
- payment of tuition and/or examination fees,
- for external students: permission from the Executive Board, which will be granted only if there is no objection on the grounds of the nature or interests of the programme,
- for applicants in possession of qualifications obtained outside the Netherlands: proof of sufficient knowledge of the Dutch language

The procedure whereby students are enrolled at TU Delft is deemed to be complete as soon as the student has received his or her proof of enrolment. This states for which period of time and for which programme or programmes the student in question has enrolled.

Students receive this confirmation of their enrolment no later than one month after they have completed their obligations in relation to the enrolment process, but no earlier than mid-August. The proof of enrolment is sent to the term-time address.

In principle, first-time enrolment is only possible as of 1 September. Enrolment on 1 February is possibly only following approval of a well-founded request addressed to the Central Student Administration and with the consent of the faculty concerned. Internal transfer from a Bachelor's to a Master's degree programme is possible at any time of the academic year. For certain Master's degree programmes it is also possible to transfer from outside TU Delft during the second semester.

### 3.2

#### Enrolment as a student (Art. 7.34 of the WHW)

A person enrolled as a student has the following rights:

- a) participation in education within the degree programme and in principle within TU Delft as a whole;
- b) participation in degree audits and examinations within the degree programme;
- c) access to the libraries, laboratories etc.;
- d) use of the student facilities;
- e) supervision, whereby the institution devotes particular care to those belonging to an ethnic or cultural minority (for a description of the implications of the term 'supervision', see the programme-related part of this charter);
- f) where the decision is made either by the minister or by TU Delft to discontinue a degree programme: the possibility to complete the programme within a reasonable period of time at TU Delft or at another higher education institution;
- g) entitlement to vote for and eligibility for election to university bodies.

### 3.3

#### Enrolment as an external student (Art. 7.36 of the WHW)

A person enrolled as an external student has the following rights:

- a) participation in degree audits and examinations within the degree programme;
- b) access to university assemblies and organisations.

## 3.4

## Termination of enrolment (Art. 7.42 of the WHW)

Requests for termination of enrolment must be submitted via Studielink. The Executive Board has set down rules relating to the procedure. It is possible to have tuition fees refunded (see section 3.5.3).

Termination of enrolment is possible in the following circumstances:

**a. By request**

A student may terminate his or her enrolment by submitting a request via Studielink: it will take effect at the start of the month following the month in which the request is made or at a later date.

**b. Failure to pay tuition fees after receipt of a demand for payment**

Any student who fails to pay his or her tuition or examination fees after receiving a reminder may have their enrolment terminated with effect from the second month following the month in which the first reminder was issued

**c. Binding study recommendation**

The enrolment of any student who is given a negative binding study recommendation will be terminated with effect from the month following the month in which such a recommendation is given. This is set out in greater detail in the Implementation of the Binding Recommendation on Continuation of Studies (see Appendix 15 and the website).

**d. Serious fraud**

The Board of Examiners may propose the termination of the enrolment of any student committing serious fraud, to take effect from the month following the month in which the fraud is established. The procedure taken by the Board of Examiners is set down in more detail for each faculty in the Board of Examiners Rules and Guidelines.

**e. Serious anti-social behaviour**

The enrolment of any student who repeatedly commits acts of anti-social behaviour may be terminated with effect from the month following the month in which such acts are established. This is set out in greater detail in the TU Delft Regulations for the Use of Buildings, Grounds and Facilities by Students and Visitors

**f. Death**

The enrolment of any student who dies is terminated with effect from the first day of the month following the month in which death occurs.

## 3.5.1

## Payment of tuition fees (Articles 7.43 to 7.47 of the WHW)

One of the conditions for enrolment is the payment of tuition fees (on the part of a student) or examination fees (on the part of an external student). The amount payable must be paid in full before the start of the enrolment process. A standing order granted in advance, authorising TU Delft to collect the payment from a bank account, either in one payment or in instalments, is also acceptable.

Standing orders (digital or otherwise) for the payment of tuition fees from first-year students who are not in possession of a social security number or a Dutch bank account will not be accepted.

The law distinguishes two types of tuition fee:

- the statutory tuition fee,
- the tuition fee determined by the institution (institutional rate).

In the 2012/2013 academic year, TU Delft will not be imposing different rates for students taking a second degree.

**The statutory rate**

The statutory tuition fee is set at €1,771 for the 2012/2013 academic year. The Higher Education and Scientific Research Act (WHW) and the Student Grant Act 2000 (WSF 2000) indicate which students are entitled to pay the statutory rate and for which students the institution may deviate from this rate. Application of the statutory rate is subject to the correct and timely registration of the residential address in the Municipal Personal Records Database (GBA). If this requirement has not been met, the Institutional rate III will apply: €8,096 for a Bachelor's programme, and €12,650 for a Master's programme.

**Institutional rate I**

Institutional rate I is the same as the statutory tuition fee rate (€1,771) and is valid for a few closely specified categories of students (for example refugee students). Subject to

registration in the GBA.

#### **Institutional rate II**

Institutional rate II is €2,401 for the 2012/2013 academic year. This rate also applies to all regular non-EU students in the Bachelor's degree phase who entered the Bachelor's degree phase on or before 1 September 2007 and who have been continuously enrolled in that Bachelor's degree programme or the Master's degree programme leading on from that.

#### **Institutional rate III**

In the 2012/2013 academic year, institutional rate III (€8,096) applies to all non-EU/EFTA nationals entering a Bachelor's degree programme at TU Delft. In the 2012/2013 academic year, institutional rate III (€12,650) applies to all non-EU/EFTA nationals entering a Master's degree programme at TU Delft.

Transitional measure applicable until 31-08-2017: TU Delft has determined that, with the introduction of the MSc International Programme as of 1 September 2002 within the regular Bachelor's-Master's system, account must be taken of previously enrolled students entering a Master's degree programme leading on from a Bachelor's degree who come from non-European countries and have already participated in a regular Dutch language Bachelor's degree programme. On completion of their Bachelor's degree programme, all students already enrolled on 1 September 2002 may complete the Master's degree programme that leads on from their Bachelor's degree under the currently applicable institutional rate II (for 2012/2013, €2,401), provided they have been enrolled continuously from September 2007. In the 2012/2013 academic year non-EU/EFTA students who entered between 2008 and 2010 and have been enrolled continuously are required to pay €5,625 for a Bachelor's degree programme and €9,340 for a Master's degree programme. Students who took a Dutch-language course in 2010 and who started a programme in 2011 are to pay the transitional rate, as do those students who were first required to complete a bridging programme in 2010. The transitional rate will cease to apply if the student transfers to a different degree programme.

#### **Rate for part-time degree programmes**

The rate for the part-time degree programmes is €1,483 for the 2012/2013 academic year.

#### **Rate for external students**

The rate for enrolment as an external student from the EU is €6,000 for the 2012/2013 academic year. External students from outside the EU are required to pay Institutional rate III, (see above).

A detailed description of every category and all the conditions can be found in the Enrolment Policy 2012/2013 (Appendix 1).

#### **Consumer price index**

Since 1999/2000 the tuition fee has been adjusted annually in relation to changes in the consumer price index for all households.

#### **Payment in instalments**

TU Delft offers the possibility to pay tuition fees by standing order in twelve instalments. The additional charge for payment in instalments is €24 for the 2012/2013 academic year. This arrangement also applies to examination fees and part-time tuition fees.

If it is not possible to debit tuition fees owing, the amount owing will be added to the amount debited the following month. If it is still not possible to debit the fees owing in that month, access to the university network will be blocked. The subsequent step will be the engagement of a debt collection agency/bailiff, which will also involve the imposition of collection and interest charges. Failure to make payment at this stage will result in the student being unenrolled from TU Delft. However, the student in question will first receive two reminders.

### 3.5.2

#### Reduction of or exemption from tuition fees (Art. 7.48 of the WHW)

Reduction of or exemption from tuition fees is possible in the following cases:

- A student is eligible for a reduction in the tuition fee in the case of a second or subsequent enrolment in a paid institution for university education (WO) or higher professional education (HBO), with the exception of the Open University. This may be at the same or another university or a publicly funded institution for which a tuition fee is payable according to the Tuition Fee Act.
- If a person's enrolment as a student has been terminated and he or she has received a refund of part of the tuition fees (see 3.5.3).

The above applies only to students who pay statutory tuition fees.

A student enrolling at the beginning of the second semester pays one twelfth of the full

tuition fee for each month that he or she is actually enrolled. TU Delft also applies this to institutional tuition fees, part-time tuition fees and examination fees.

### 3.5.3

#### Refund of tuition fee on termination of enrolment (Art. 7.48 of the WHW)

In the case of termination of enrolment, students are entitled to a refund of one-twelfth of the tuition fees for each month of the academic year that their enrolment would have entailed. Although not obliged to do so by law, TU Delft also allows refunds for the months of July and August.

A refund of all or part of the tuition fee is possible in the following cases:

- by request, because a student has graduated, for example
- binding recommendation on continuation of studies
- serious fraud
- serious misconduct
- death

The Executive Board determines the procedure regarding the payment of refunds. In the case of the death of a student, the refund is made automatically, but in other cases it is never automatic – students must submit a request via Studielink.

These regulations only apply on legal grounds to the statutory tuition fee. However, TU Delft also applies them to tuition fees determined by the institution itself. Refunds are based on what the student would have had to pay for the remaining months from the time of his or her termination of enrolment.

Examination fees are non-refundable.

### 3.6

#### Compensation for/back-payment of tuition/examination fees (Art 15.2 of the WHW)

A person wishing to receive a certificate as proof of a successful degree audit in a particular academic year must submit a request to the Executive Board. If it is established that in any year he or she has not been correctly enrolled but has nevertheless received tuition and/or taken examinations, the Executive Board may rule that the certificate may only be awarded after the tuition and/or examination fee has been paid.

A person who is not enrolled but makes use of educational or examination facilities is required to pay compensation. At TU Delft this is set at €100 for each month that the person should rightfully have been enrolled plus the tuition fees owing for this period.

### 3.7

#### Enrolment policy

TU Delft defines its enrolment policy annually (see appendix 1). This policy determines the rules that apply to enrolment and tuition fee rates. Naturally these rules may not deviate from the stipulations of the law. Where the law prescribes a particular course, this is followed; where policy may be made freely, it is determined by TU Delft. The enrolment policy details the rules that the university applies.



# 4.

## Graduation Support

### 4.1

#### Graduation Support according to Art. 7.51 of the Higher Education and Scientific Research Act (WHW)

Students who experience a delay in the progress of their study as a result of certain exceptional circumstances may apply for financial compensation<sup>1</sup> from TU Delft. In the case of international students, the delay in their studies must have occurred during their nominal study duration – 36 months for Bachelor's programmes and 24 months for Master's programmes. This derives from a legal provision, Art. 7.51 of the Higher Education and Scientific Research Act (WHW). This article forms the basis of the Graduation Support which the student can receive both in case of a situation beyond the student's control, such as illness or pregnancy, and of recognised administrative activities. Top-level sportsmen and women may also be eligible for this scheme.

Appendix 2 to the Charter contains the Graduation Support Scheme (RAS), which includes the TU Delft interpretation of the legal regulations regarding Graduation Support. The appendix also lists the activities that TU Delft recognises as administrative activities for which financial assistance can be obtained ('Guarantee Month List'). As of the academic year 2008/2009 TU Delft has altered these regulations, partly in order to effect the introduction of a 'project box'. Students who participate in projects that benefit both TU Delft's reputation and the student's academic development can apply for Graduation Support as of 2008/2009. The RAS has been modified on several occasions in accordance with changes to the WHW, most recently on 1 September 2012.

### 4.2

#### Exceptional circumstances

A student may experience a delay in the progress of their study due to unforeseen circumstances (e.g. illness, exceptional family circumstances, circumstances beyond the student's control) or foreseen circumstances (e.g. administrative activities). Students who are faced with circumstances beyond their control or are considering undertaking administrative activities can first ask the Academic Counsellor of their department/faculty for information and advice on possibilities for financial assistance and the procedures to be followed both within TU Delft (RAS) and beyond it (such as DUO procedures for chronic illness or disability). International students who do not receive combined grants may also be eligible for Graduation Support.

#### **Illness (or pregnancy)**

During the academic year a student may miss all or part of a subject or examination due to illness. In all cases the student is obliged to contact the Academic Counsellor as soon as possible. He or she will firstly do everything possible to prevent the student experiencing a delay due to the period of illness. If the delay cannot be avoided or made up, it is possible for the student to receive financial compensation through the Graduation Support Scheme (RAS) (see 4.3).

#### **Physical, sensory or other functional disorders**

These exceptional circumstances may include physical disability, chronic illness, or dyslexia. For students with a functional disorder, a variety of facilities exist within TU Delft. Students can obtain information on these facilities from the Academic Counsellor of their department/faculty, and also from Student & Career Support (see 8.4), in particular from the student counsellor for students with a disability. The DUO also has separate regulations for this group of students (see 4.10).

#### **Exceptional family circumstances**

A serious event within the family, such as the death of a close family member, can lead to a delay in the progress of study. In this situation, the Academic Counsellor is also the first point of contact to prevent a delay and potentially to discuss the possibility of financial assistance. If they wish, students can also approach Student & Career Support (see 8.4) to obtain help and advice with the problem they are experiencing.

<sup>1</sup> The student grant regulations are expected to change during the coming months, with possible consequences for the Graduation Support Scheme (RAS). It is the intention of the Executive Board that the RAS be maintained; the extent to which this will be possible will depend on the decision of the States General.

**An insufficiently 'studiable' degree programme**

An insufficiently 'studiable' degree programme is also referred to as a situation of 'educational circumstances beyond the student's control'. The degree programme is then devised in such a way that the student cannot reasonably be expected to have been able to successfully complete the final examination within the period allocated, for example because it is no longer possible to follow or complete subjects or if examinations do not follow on from each other appropriately. Educational circumstances beyond the student's control may also occur if the programme is devised in such a way that it is not possible for the student to follow a 'studiable' programme. In this case the student's delay can be attributed wholly or partly to shortcomings in the educational quality of the degree programme. The WHW states that the delay to a student's studies must be the result of the way in which the university actually organises the programme.

**Administrative activities**

TU Delft recognises a wide range of administrative activities as grounds for financial compensation via the Graduation Support Scheme (RAS). For further details see 4.6.

**Hardship clause**

Finally, the Graduation Support Scheme (RAS) also includes a remainder category of circumstances leading to a student experiencing a delay in the progress of his or her study, other than those mentioned above. Financial assistance by the Executive Board can still be granted if its not doing so would lead to serious inequity. Assistance to top-level sports competitors also falls under the hardship clause contained in the WHW.

## 4.3

**Prior consultation of Academic Counsellor**

It is wise for students to discuss delayed progress with your Academic Counsellor at an early stage. A student wishing to apply for financial assistance as a result of circumstances beyond his or her control (for example illness) or due to the acceptance of an administrative position of six guarantee months or more is obliged to discuss this with his or her Academic Counsellor.

The Academic Counsellor will discuss the consequences of the delay in progress. In doing so he or she will take the schedule of your degree programme into consideration; for example, if an examination period is missed as the result of illness, the Academic Counsellor will take this into account. The Academic Counsellor will also discuss whether the delay can be made up in the remaining study time available, and if so, how this may be achieved. An application for financial assistance for the duration of the delay can then be submitted to the Executive Board. Declarations by experts must be included, for example in the case of illness a medical certificate and in the case of psychological problems a certificate from a psychologist.

If the delay is expected to last longer than six months, the possibility of terminating enrolment should be discussed with the Academic Counsellor. If a student has not contacted the Academic Counsellor or has not followed his or her advice, the application for financial assistance may be rejected.

## 4.4

**Application procedure and payment**

TU Delft students who as a result of circumstances described in 4.2 have experienced a delay in the progress of their study can – with or without prior consultation with an Academic Counsellor – submit an application for financial assistance.

Formally this application must be submitted to the Executive Board but in practice it may be submitted to the Central Student Administration (CSA). The CSA is responsible for the administration of Graduation Support and it also runs the office of the committee that makes recommendations on awarding financial assistance, the Central Committee for Financial Assistance (CCFO).

The applications are made using a standard form, available from the CSA and Academic Counsellors.

If, after the CCFO has made its recommendation, the delay in the progress of the student's studies is acknowledged and the application is accepted, at the relevant time the student must still submit a separate application to receive payment for the approved months. In principle, Graduation Support is paid directly following the period in which the basic grant (and any supplementary grant) – the so-called combined student grant – is received. In the case of international students, the nominal study duration is the determining factor. This means that in most cases the application for payment is submitted no later than the end of the fifth year. Bearing in mind the time needed for administrative processing, it is wise to submit the application several months before the period of the combined student grant

or nominal study duration expires. This will guarantee that the payment will follow on from the period of the student grant or nominal study duration without delay. If the application is submitted after the end of the period in question, the student will receive assistance as of the first day of the month in which the application is made. No payment will be made for any months that have already passed in which the student was not in receipt of a basic grant. The only condition attached to the payment of Graduation Support is that the student is enrolled at TU Delft. Payments are always made in monthly instalments. Assistance for an acknowledged delay in student progress or for guarantee months is generally paid in monthly instalments, when the period of the combined student grant or, in the case of international students, the nominal study period, has come to an end.

Students may, if they wish, obtain a declaration from TU Delft confirming the decision to acknowledge a delay in their studies as well as the duration of the delay.

The extent of the financial assistance to be paid shall be equal to the performance-related grant according to Section 5 of the WSF 2000, although in the case of students carrying out administrative activities this is ninety per cent of that amount. This percentage applies to individual applications for acknowledgement that were submitted after 1 September 2010.

If the student has transferred to TU Delft from another university and his or her application for financial assistance has been accepted by this university, in certain cases he or she may receive assistance from TU Delft at the point at which this becomes applicable. The assistance will be granted according to the conditions that apply at TU Delft.

#### 4.5 Payment of Graduation Support is tax free

Under fiscal legislation, payments within the scope of the Graduation Support Scheme (RAS) (including guarantee months) are tax free. They do however count as a threshold for the deduction of study expenses. For this reason TU Delft informs the tax authorities of payments made.

## 4.6

### Administrative activities

In Article 7.51 paragraph 2 (subsections a and b) of the WHW, administrative activities are described as:

- Membership of the Student Council (at central or faculty level), the administration of a degree programme or a Board of Studies as well as membership of a foundation whose objective is the operation of student facilities or a body judged equivalent by the Executive Board;
- other activities of an administrative or social nature which in the judgement of the university administration help serve the interests of the university or the educational field in which the student is studying. An example is being a member of the Freshman Week [OWee] working group);

TU Delft considers it important to provide financial compensation, in whole or in part, to students who conduct administrative activities. As of the academic year 2008/2009 the system for the support of administrative activities takes the form of guarantee months as described in the RAS (Guarantee Month List).

In the annual allocation of guarantee months, TU Delft utilises a system of boxes. The distribution of guarantee months over the boxes and the clubs and organisations is detailed in the Guarantee Month List (see Appendix 2).

Box 1: social clubs

Box 2: student societies and other degree programme-related associations

Box 3: sports and culture clubs

Box 4: administration and representation of student interests

Box 5: five-year anniversaries and other activities

Box 6: projects

#### **Social clubs (box 1)**

For the distribution of the months within box 1, social clubs, the criterion is the number of members. The club must have at least 75 members, of which at least 75 percent are students at TU Delft or at a University of Applied Sciences (HBO) (in the region). The clubs must also have so-called entitlement to rights and be registered with the Chamber of Commerce. Recognised clubs receive an annual allocation of months from TU Delft, which they may distribute among their various full-time or part-time administrative positions at their own discretion, or reserve as extra guarantee months (see also box 5) for anniversary-related activities.

#### **Student societies and other degree programme-related associations (box 2)**

Box 2 comprises the Graduation Support pertaining to administrative activities within student societies (box 2a) and other degree programme-related associations (2b). For the larger category, the student societies, the formula for distribution is based on the number of students enrolled in the department or faculty. In contrast to social clubs, the number of

full-time administrative positions is predetermined, although exceptions may be made if a written request for redistribution of guarantee months is submitted to the Executive Board.

#### **Sports and culture clubs (box 3)**

The distribution of guarantee months within box 3, sports and culture clubs, takes into account both the number of members and the number of hours necessary to fulfil each position. Within the recognition procedure set down in the Graduation Support Scheme (RAS), advisory roles are granted to the Delft Student Sports Federation (DSSF) and the head of Sports and Culture.

#### **Administration and representation of student interests (box 4)**

There are a range of posts within TU Delft that provide student representation in decision making at the university. Students may be elected to sit on the Central or Faculty Student Councils. TU Delft also supports administrative activities in the interest of the organisation and administration of the university itself. These include the Freshman Week (OWee) board or the board of Delft Student Union (VSSD).

#### **Five-year anniversaries and other activities (box 5)**

As of the academic year 2008/2009 there is a separate box 5a for anniversary-related activities. The guarantee months to be distributed within this box are limited to 50 months. Associations planning on conducting anniversary-related activities can save up previously unused guarantee months in boxes 1 to 3 or reserve months allocated in boxes 1 to 3 to use for anniversary-related activities in the following academic year.

Box 5b, 'other activities', comprises those activities, administrative or otherwise, that do not fall within categories 1 to 4, but for which TU Delft does provide financial assistance (such as AEGEE). The application procedure for the approval of these activities includes consultation with the Central Committee for Financial Assistance (CCFO).

#### **Projects (box 6)**

As of the academic year 2008/2009, students can also receive assistance for activities conducted within projects at TU Delft or elsewhere that are of major benefit both to the university's reputation and the academic development of the student in question. This will be assessed by a special D-Dreams committee (previously the Stevin 1 Steering Committee), which will advise the Executive Board on the approval of projects.

Other conditions for the allocation of guarantee months are that the activities:

- fall within the scope of TU Delft's primary activities (education and research),
- are not otherwise eligible for financial support,
- result in a delay in the progress of the students' studies of at least 3 months,
- are submitted for approval via an application in advance,
- do not yield any credits for the participating students.

As a rule it will generally be considered whether the activities could be a component of the student's degree programme; if this is not possible, on the basis of the student's active involvement in the project, guarantee months will be awarded.

### 4.7

#### Top-level sports

A student is considered to be participating in top-level sport if he or she competes or is preparing to compete in national or international championships. A condition is that the level of sporting achievement qualifies as top-level sport according to the Netherlands Olympic Committee\**Netherlands Sports Federation (NOCNSF) in The Hague.* With regard to the allocation of graduation support for students participating in top-level sports TU Delft applies set criteria which are set out in an appendix to the RAS in the student charter. More information is available from the Student Counsellor and the top-level sports service desk.

### 4.8

#### Students who carry out administrative activities without being enrolled

As of 1 September 2012, TU Delft students who fulfil an administrative function have been entitled to receive financial support without being enrolled at the university. Payments are made while the student is actually carrying out the activities and not, as is usual, retrospectively. At present, this option will only be available for the 2012/2013 academic year.

Students who exercise this option cannot participate in any lessons or take any exams, and must reach an agreement with TU Delft before doing so. The option is only available to full-time administrators – functions involving a 12-month commitment – and applies to every box on the Guarantee Months List. The option is not available to students occupying positions of less than 12 months' duration.

Students carrying out administrative activities who are not enrolled at the university may continue to use the facilities, such as the library and the sports and culture centre, subject to the same conditions as any other student.

More detailed information is available from the CSA and Student & Career Support.

Following the abolition of the rule that obliges students deemed to be taking too long with their studies to pay a penalty, students who elected to carry out administrative duties without being enrolled during the 2012/2013 academic year will now be offered the opportunity to enrol as students for that year.

#### 4.9

##### Other TU Delft funds

Finally, TU Delft offers the possibility in some cases to apply to a specific fund with a defined objective. Examples of such funds are the University Fund and the Emergency Fund. In certain cases it is also possible for student activities to receive subsidy.

Information on the financial possibilities offered by these funds can be obtained from the CSA and from Student & Career Support. The leaflets available provide a detailed description of the relevant regulations.

#### 4.10

##### Graduation Support from the state

A student who is a committee member of a national political youth organisation or national interest group in the field of education, or a student who has been a member of a visitation committee for at least one month, may apply to the Ministry of Education, Culture and Science (OC&W) for financial assistance from the national graduation fund if as a result of these activities he or she experiences a delay in his or her progress. For a committee member to be eligible for this assistance, the organisation in question must have a minimum of 250 paying members. Such organisations may nominate one committee member for assistance from the fund. This committee member may be changed three times. The closing date for applications for committee members is 1 November. The payment is approximately €1000.00 per month and is liable to taxation.

#### 4.11

##### DUO special procedures

If as a result of a physical or psychological disorder a student is unable to take the final degree audit within the period of the combined student grant, he or she can ask the DUO for a single twelve-month extension of the right to this grant (Article 4.12 WSF2000). The student applies to the DUO for this extension using the form 'request for the provision of a performance-related grant' ('Verzoek Voorziening Prestatiebeurs'), which is available from the Central Student Administration (CSA) and from the faculty Academic Counsellors. The application must include a medical certificate from a university-contracted doctor or psychologist, plus a declaration from the Executive Board. The first point of contact to initiate this procedure is now also the Academic Counsellor.

An application for an extension of the performance-related grant can usually only be submitted after a minimum of two years of study at TU Delft. Only then is it sufficiently possible to establish whether the disorder or chronic illness has actually led to a delay that cannot be made up within the period of the combined student grant.

As a rule, an application for the extension of the period of the student grant on the grounds of a functional disorder does not automatically lead to an extension of the 10-year period available for the completion of studies. However, this period may be extended by the duration of the exceptional circumstances responsible for the delay in the progress of the student's studies. In the case of a chronic disorder leading to disability as defined in the Disablement Assistance Act for Handicapped Young Persons (Wajong), the DUO may actually convert the performance-related loan into a gift without a degree having been obtained. If a student is faced with a structural (chronic) set of exceptional circumstances (either medical or non-medical) that prevent him or her from being able to obtain a degree within ten years, then it is possible to request a one-off sixty-month extension of the period of time available for completion of studies. Should the student obtain his or her diploma during this extended period, the performance-related grant will be converted into a gift.

# 5.

## *Facilities Regulation*

TU Delft contributes in many ways to the welfare and education of all students, in all facets of university life. This is part of the university's statutory mission, as laid out in Article 1.4, third paragraph of the Higher Education and Scientific Research Act. The provision of services to students and the facilitation of student organisations are tools that serve this objective. The updated facilities regulation focuses on the latter tool: providing support to student organisations. The objective of the facilities regulation is to enable student organisations to operate on a financially sound basis. The organisations represent students' interests, mediate in internship and graduation assignments, and to create social ties between international students among themselves or with the university in general (standard grant). The regulation also provides cash allowances for new student initiatives (innovation grant).

The regulation compensates student organisations for rent and office expenses (Appendix 14: Article 5). The regulation does not cover participatory councils, student associations or the sports/cultural activities of student organisations; TU Delft has separate arrangements for these purposes, such as the Graduation Support Scheme (allowance for expenses related to membership in participatory council, the board of a student association or other body) and the Sponsorship scheme for sports/cultural events. See Article 2.

The eligibility criteria for financial compensation are clearly laid out (Articles 4 and 6) as is the way the available budget is distributed among the officially recognized student organisations (Article 3). The criteria are specifically defined in Article 4. The criterion under f ('not financially self-reliant') means: no commercial objectives. The criteria for innovation grants in Article 6 require a more discretionary assessment by the Executive Board, thereby giving the Board a certain measure of freedom in its allocation decisions. In principle, the innovation grant is a one-off grant for an innovative initiative, but can also serve as a start-up grant for new initiatives that may later become integrated into the fabric of university life. This is why Article 7, second paragraph, provides for a potential continuation grant, but the student organisation in question must demonstrate that it is capable of mounting valuable activities into the future, and in doing so eventually become eligible for a standard grant. Organisations are asked to submit their plans and budget (Article 7) beforehand and their post-activity balance (Article 10), which will lead to a more solid relationship between the partners in the grant process.

A maximum budget has been set for allocation under this regulation. A total of €80,000 is available in the 2012 financial year, of which 75% will be allocated for grants for existing student organisations or their initiatives, and 25% will be made available for new initiatives of student organisations. The budget for standard grants will be allocated proportionally. Applications for innovation grants will be assessed with a specific focus on the degree to which the initiative addresses the common good of the university community (see article 3). Applications may be submitted to Student & Career Support, Education & Student Affairs, Jaffalaan 9A, 2628 BX Delft. The formal decision will be taken by or on behalf of the Executive Board. Budgetary insolvency is one of the potential grounds for declining an application (Article 7).

# 6.

## Education

### 6.1

#### Structure of degree programmes

(Art. 7.7 and 7.13 par. 2 subsections i and t of the WHW)

Degree programmes may have a full-time, part-time or work-study structure. Currently all degree programmes at TU Delft have full-time versions. Only the Master's degree in Science Education & Communication is available as a part-time programme. The part-time versions of the Bachelor's programmes in Computer Science and Systems Engineering, Policy Analysis and Management, and the Master's programme in Engineering and Policy Analysis were discontinued in 2011. In the 2012/2013 academic year, part-time enrolment at TU Delft is possible only for the SEC Master's programme.

As yet TU Delft has no degree programmes with a work-study structure. The Dean determines the structure of degree programmes in the Teaching and Examination Regulations (OER), a component of the programme-related part of the Student Charter. The OER can also stipulate that participation in practical exercises is compulsory. If it is not stipulated in the OER, participation in education is not compulsory. A student who for example does not attend lectures may not be disadvantaged in relation to students who do.

### 6.2

#### Study load and credits (Art. 7.3, 7.4a and 7.8 of the WHW)

Each degree programme consists of certain units of study (i.e. subjects). Depending on the number of units and the demands they make of the student, a degree programme is designated a particular 'study load'. The study load of each programme and each unit is expressed in credits according to the ECTS (European Credit Transfer System). A credit is equal to 28 hours of study. The study load of a BSc degree programme at TU Delft is 180 credits and that of an MSc degree programme is 120 credits.

TU Delft degree programmes have a propedeutic (first-year) phase. The study load of this phase is 60 credits. The teacher-training programme is 60 credits. The Teaching and Examination Regulations (OER) must include the study load both for the degree programme as a whole and for its individual units.

On 1 September 2002, the Bachelor's/Master's system was introduced at TU Delft. As of this date the university switched to the so-called 'Anglo-Saxon model', whereby all existing TU Delft programmes were divided into a first part lasting three years (the Bachelor's phase leading to a BSc degree) and a second part lasting two years (the Master's phase leading to an MSc degree or the Dutch qualification 'Ingenieur').

In 2005 TU Delft decided to introduce the major/minor structure to all Bachelor's degree programmes. A minor forms a coherent whole comprising subjects to a value of 30 credits in the first semester of the third year of the Bachelor's degree programme. In some programmes the minor is spread over more than one semester.

TU Delft has the following types of minors: broadening minors (a number of which facilitate transfer to a different Master's programme), deepening minors, and a free minor. Students can choose from a wide variety of minors, which can be found at [www.minors.tudelft.nl](http://www.minors.tudelft.nl). Enrolment for a minor is compulsory.

The OER for each degree programme stipulates that a student who has obtained 180 credits is entitled to a BSc degree. Equally a BSc may also be awarded to a student who obtained 180 credits within the five year programme before the introduction of the Bachelor's/Master's system. A condition is that these credits must form a coherent whole and that the student ended his or her studies after 1 September 1998, or has made this request with a view to studying at a university in a country other than the Netherlands.

### 6.3

#### Examinations and degree audits

(Art. 7.3, 7.8, 7.10, 7.11, 7.12, 7.13 and 7.30 of the WHW)

Each educational unit ends in an examination. This is an investigation into the knowledge, insight and skills of the candidate regarding the unit in question. Based on the results of

this examination a student is deemed to have passed or failed. The Board of Examiners can give the examiners guidelines and instructions on how a candidate should be assessed and how the result should be determined. The Teaching and Examination Regulations (OER) must specify how and for what period a candidate is permitted to view his or her work after it has been assessed. If all examinations relating to the units within a degree programme (or a particular phase of the programme) have been successfully completed or, if this is not the case, this has been sufficiently compensated for in line with the faculty's OER (see the programme-related part of this charter), the degree audit of the programme as a whole, or a particular phase of the programme, is deemed to have been passed, unless the Board of Examiners stipulates that the audit is to include a further assessment by the board itself (for example a paper that must be publicly defended). A student who has passed an examination receives a certificate by way of proof from the examiner(s). A student who has met the requirements of a degree audit receives as proof a certificate, which states the components of the audit and any qualifications associated with the certificate. A student who has passed at least two examinations but has not met all the requirements of the degree audit of which the examinations form a part, may on request receive a declaration from the board of examiners stating which examinations have been passed: this is known as a testimonium.

Each degree programme concludes with at least one degree audit. This is a statutory requirement, and is referred to legally as the 'final degree audit'. Each degree programme has a propedeutic (first-year) phase. The OER stipulates the degree audits associated with a particular degree programme. Students can select units of study to define their own programme, which will include a degree audit. If the Board of Examiners approves this programme, it will indicate the degree to which this programme belongs: this is known as a free final degree audit. The Board of Examiners lays down rules for proper procedure during examinations and determines the measures to be taken in relation to this procedure. In the case of fraud on the part of a student, these measures may entail the revocation of his or her right to take one or more specified degree audits or examinations at the institution during a period determined by the Board of Examiners up to a maximum of one year.

#### 6.4

##### The 'studiability' of a programme and the quality of education (Art. 7.13, 7.14, 7.15 and 1.18 of the WHW)

The student has the right to a 'studiable' programme. This right translates legally into an obligation on the part of the university to structure a degree programme in such a way that the student may reasonably be expected to be able to graduate within the period of the programme. The Teaching and Examination Regulations (OER) must be regularly assessed, paying particular attention to the time required for the study load. This is the responsibility of the Dean of the faculty. The Executive Board publishes an overview of the degree programmes offered by the university and an outline of the OER in good time for the beginning of the academic year. The form of this overview must be such that a prospective student is able to form a clear judgement of the content and structure of the degree programme and degree audits. This includes the available degree programmes, the outline of the OER, and the recommendation regarding the continuation of studies that must be issued at the end of the first year of enrolment.

Partly with a view to the study recommendation referred to above, the propedeuse (first year) must be structured in such a way that the student is able to form an overview of the content of the programme as a whole. This will also help the student make a well considered decision on whether or not to continue with the degree programme. The quality of education at TU Delft is periodically assessed during so-called visitations by independent specialists. The Executive Board ensures that these visitations take place regularly.

If, as a result of the structure of the programme, a student experiences a delay in his or her progress he or she may, on certain conditions (see the RAS and Art. 7.51 of the WHW), apply for financial compensation.

#### 6.5

##### Study supervision and the monitoring of student progress (Art. 7.34, 7.13 par. 2 subsection u, 7.8 par. 4 and 7.9 par. 3 of the WHW)

Potential students will be well informed about factors that lead to success at the university. Students are entitled to supervision in their studies, taking into consideration their personal circumstances, including their ethnic or cultural background. TU Delft will ensure that students receive proper support and guidance in making choices regarding their studies. Every Bachelor's degree programme has its own study support and guidance plan. As well as being entitled to supervision, students are also entitled to make use of the services of the central student counsellor. The details of the entitlement to supervision and the monitoring



of student progress are included in the Teaching and Examination Regulations (OER). A programme's academic counsellor fulfils an important role both in individual supervision and in monitoring progress. In the first year, formal academic recommendations are issued three times: in March, August and September.

## 6.6

### Study recommendation at the end of the first academic year (Art. 7.8b WHW)

In March the first-year students receive a preliminary recommendation on continuing their studies. They receive a binding recommendation in early August, which will be negative if they have earned fewer than 45 credits from the first-year programme. Students who still have fewer than 45 credits after the August exam resits will receive a negative binding recommendation on continuation of studies no later than 30 September. Students who receive a negative binding study recommendation will be excluded from the programme for four years.

Special circumstances are dealt with in a separate procedure. There is also a regulation for students who enrol after 1 October and for granting exemptions.

At his or her own request, a student who has received a negative binding study recommendation will be actively supervised in transferring to another more suitable degree programme at TU Delft or elsewhere. Students may continue to make use of the academic guidance and supervision facilities for a period of one year. Appendix 15 contains more information on this topic.

## 6.7

### Tuition in Dutch (Art. 7.2 of the WHW)

The Bachelor's phase is taught in Dutch. An exception may be made in the following cases:

- a degree programme in a foreign language;
- a guest lecture by a non-Dutch speaking lecturer;
- if necessary due to the specific nature, structure or quality of the tuition, or the origin of the students, in accordance with a code of conduct to be drawn up by the Executive Board.

The Master's phase is taught in English. This is regulated by the 'Code of Conduct for the use of English in Master's Degree Programmes' determined by the Executive Board and included as Appendix 12 to this charter.

## 6.8

### Facilities for students with a disability (Art. 7.13 par. 2 subsection m of the WHW)

Students with a disability (defined as conditions of a chronic or permanent nature (at least for the time being) that represent a structural impediment to studying or taking exams, such as all motor, sensory or psychological handicaps, but also functional disorders like dyslexia, RSI, chronic fatigue, depression, chronic illnesses, etc.) often experience a delay in their study progress as a result. Due to the effects of their disability they are often able to spend less time and energy on their studies than an average student. TU Delft is therefore obliged to provide facilities to make it possible, within reason, for students with a disability to participate in education and examinations.

Regarding the facilities for students with a disability, the following three areas can be distinguished:

- access to the university buildings;
- the structure of the programmes;
- adaptations to the way examinations are taken.

Students who wish to make use of these additional facilities for students with a disability should contact a student counsellor. If necessary a medical certificate should be provided, stating the nature and extent of the limitation. An additional condition is that the application should be made in sufficient time for the requested facilities to be realized.

## 6.9

### Titles (Art. 7.19a and 7.20 of the WHW)

Persons who have met the requirements of their Bachelor's degree audit are entitled to use the title 'Bachelor of Science'. Those who have met the requirements of Master's degree audit are then entitled to use the Dutch title *ingenieur* (ir.). This abbreviated title is placed before the person's name. Instead of the title 'ir.', the English title 'Master of Science' may be used. This is placed after the name, abbreviated to 'MSc.'

## 6.10

## Supplement to the degree certificate (Art. 7.11 par. 3 of the WHW)

Since 1 January 2004, degree certificates from TU Delft have been accompanied by a supplement. This states that the graduate not only fulfils the qualification requirements of TU Delft but also those of other international universities of technology such as those of Aachen, Zurich and London and other degree programmes yet to be agreed.

## 6.11

Teaching and Examination Regulations (OER)  
(Art. 7.13, 7.25, 7.28 and 7.29 of the WHW)

The Teaching and Examination Regulations (OER) can be regarded as a set of regulations to be determined by the Dean of the faculty for each degree programme or group of degree programmes, in compliance with Art. 9.38 subsection b of the Higher Education and Scientific Research Act (WHW). The act stipulates that a number of matters must at least be included in the OER, mainly for the legal certainty of the student. These matters are summarised chiefly in Art. 7.13 par. 2 of the Higher Education and Scientific Research Act (WHW):

- the content of the degree programme and of the associated degree audits (a);
- the content of the major within a degree programme (b);
- the quality of knowledge, insight and skills that the student must have acquired by the end of the programme (c);
- the structure of laboratory courses, if included in the programme (d);
- the study load of the programme as a whole and of the individual modules (e);
- the rules on the propedeutic (first year) study recommendation and referral to the subsequent phase of study (f);
- the degree programmes to which a study load greater than 240 ECTS should apply or for which a preliminary degree phase should be introduced (g);
- the number and frequency of examinations plus the times at which they may be taken (h);
- the full-time, part-time or work-study structure of degree courses (i)
- where relevant, the order in which examinations and degree audits are taken, the periods within which they are held, and number of times per year they are held (j);
- where relevant, the period for which the result of an examination that has been passed remains valid, at least where a limitation of this period is necessary. The legislator assumes that the result of an examination remains valid for an unlimited period unless the OER stipulates otherwise, in which case the grounds for the limitation must be well founded (k);
- whether the examinations are to be oral, written or taken in another way, bearing in mind that the Board of Examiners is authorised to determine otherwise in special cases (l);
- the way in which students with a physical or sensory disability are able to take examinations (m);
- the public nature of oral examinations, bearing in mind that the board of examiners may determine otherwise in special cases (n);
- the period within which the results of examinations are to be issued, whether exceptions may be made to this period, and if so on what grounds (o);
- how and when a student who has taken a written examination may have the opportunity to view his or her work once it has been assessed (p);
- the term within which a student may view the questions of an examination he has taken, and the assessment criteria that have been applied, and how this may take place (q);
- on the grounds of which examinations passed elsewhere in higher education, and of which knowledge or skills acquired outside higher education, a student may be granted exemption from examinations (r);
- where relevant, that passing examinations is a precondition for a student to be allowed to take subsequent examinations (s);
- if the degree programme includes a laboratory course, it must be determined whether a student's participation in the laboratory course is compulsory in order that he or she may take certain examinations. The Board of Examiners retains the right to exempt students from laboratory courses or to impose alternative requirements. This may relate to alternatives to performing tests on humans or animals, for example (t);
- the monitoring of student progress and individual supervision for students (u).

The Teaching and Examination Regulations (OER) also include:

- the designation of at least one Master's degree programme that follows on from a Bachelor's degree programme (7.13 par. 3 of the WHW);
- the requirements made in the university entrance examination (colloquium doctum) (Art. 7.29 par. 2 of the WHW);
- the compulsory subjects that must have been included in pre-university education (VWO or equivalent) (Art. 7.25 par 3 and 7.28 par 5 of the WHW). This is according to

the previous regulations. See Paragraph 2.1 for the period for which this continues to apply. The new regulations state: 'the requirements, as referred to in Art. 7.24 par. 4 of the WHW'.

The regulations described above are laid down in the act and apply generally. The programme-related aspects of the Teaching and Examination Regulations (OER) can be found in the programme-related part of this charter, which includes the OER for the relevant degree programme. Each degree programme has an OER. The Executive Board has requested the faculties to devote attention to the specialisation 'Sustainable Development' and the awarding of credits within the framework of the project 'TU Delft helps schools to combat the shortage of teachers'. The OERs are drawn up by the faculties on the basis of a model OER drafted by the Executive Board both for the Bachelor's and Master's phases.

#### 6.12

##### Procedure for the ratification of the Teaching and Examination Regulations (OER) (Art. 9.38 and 9.18 of the WHW)

Before the Dean ratifies the OER, the Board of Studies makes recommendations concerning ratification, additional rulings or the implementation of the OER. The Board of Studies, half of whose members are enrolled students, is established for each degree programme based on faculty regulations.

Before the Dean ratifies the OER, the prior approval of the Student Council is required at faculty level. However, this does not apply to the subjects referred to in Art. 7.13 par. 2 subsection a to g and stipulated in art. 7.13 par. 3.

#### 6.13

##### Other stipulations regarding degree audits and examinations (Art. 7.2, 7.23, 7.24, 7.28, 7.29, 7.34 and 7.36 of the WHW)

Only persons who meet the admission requirements for the degree programme concerned and who are enrolled at the university as a student or external student are entitled to take examinations and degree audits.

# 7.

## *Student and Staff Representation*

### 7.1

#### Modernisation of University Managerial Organisation Act (MUB)

Since 28 February 1997 the Modernisation of University Managerial Organisation Act (MUB) (Bulletin of Acts and Decrees 1997, no. 117) has been in force. The university is administered by the Executive Board. It is the task of the Supervisory Board to oversee the administration of the university as a whole. At the head of each faculty is the Dean of the Faculty. A Director of Studies is appointed to administrate each degree programme.

There is a system of student and staff representation. The Executive Board is legally obliged to select a system of representation that applies at the university. For TU Delft the Board has opted for the so-called divided system of representation. For personnel, representation is regulated according to the Works Council Act (WOR). At the institutional level there is a central Works Council; at the faculty level, subcommittees are established by the Works Council. For student representation, there are Student Councils at the institutional and faculty levels. The legal provisions for student representation can be found in Section 9 title 2 of the Higher Education and Scientific Research Act (WHW).

### 7.2

#### Student Councils

The authority of the Central Student Council is described below in Paragraph 7.3. In addition to their rights established by law, Faculty Student Councils may be granted extra rights in the faculty regulations. These extra rights are described in the programme-related part of the charter, as are the legal rights.

### 7.3

#### Central Student Council (Art. 9.30a et seq. WHW)

The Student Council has the following rights:

- advisory powers
- right of approval
- the right to make proposals and make its views known
- the right to information

The advisory powers relate at minimum to:

- the budget, which should include the level of the institutional tuition fees, among other things;
- all matters concerning the continued existence of and proper procedure within the university;
- the code of conduct for the use of foreign languages;
- the binding recommendation on the continuation of studies;
- the maximum number of admissions (numerus clausus);
- the regulations governing the Examination Appeals Board;
- student facilities (including housing);
- TU Delft policy regarding academic staff, where this directly affects education
- policy regarding institutional tuition fees;
- the arrangements for refunding statutory tuition fees.

The right of approval relates to determining and amending:

- the Student Charter;
- the Graduation Support Scheme (RAS), and the policies in relation to their application;
- the rules governing working conditions;
- the choice of representation systems, as referred to in Art. 9.30, par. 1 of the WHW;
- the regulations governing the Student Council.

The joint meeting of the Works Council and the Student Council has right of approval regarding:

- the strategic plan, as well as the policy proposed in the light of the results of the quality assessment referred to in Art. 1.18 of the WHW;
- the Executive and Management Regulations;

- the structure of the quality control system, as well as the policy proposed in the light of the results of the quality assessment.

The Student Council Regulations indicate the subjects in respect of which the council has advisory powers and right of approval. The Student Council is entitled to make proposals and make its views known to the Executive Board on all matters concerning the university. The Executive Board must respond to such proposals within three months in the form of a written proposal, detailing its arguments. Before making this response, the Executive Board must give the Student Council at least one opportunity for consultation on the proposal. The Executive Board must provide the Student Council with all information that it requires within reason to carry out its duties.

The Executive Board must inform the Student Council in writing at least once a year on:

- the policy the Board has adopted during the past year;
- the policy intentions for the coming year that concern the university in the areas of finance, organisation and education.

The Executive Board must immediately inform the Student Council of any intentions concerning matters described in the strategic plan. The Student Council must be consulted in confidence on the appointment and dismissal of members of the Supervisory Board and of the Executive Board.

#### 7.4

##### Faculty Student Council (Art. 9.37 of the WHW)

At TU Delft, the right to representation exists not just at the central level, but also at the faculty level. Faculty Student Councils are therefore established. In general, Faculty Student Councils may be invoked regarding matters on which the Dean may make decisions. Broadly speaking, where the Student Council has the right to participation on a particular matter on which the Executive Board has authority, Faculty Student Councils have advisory powers regarding equivalent subjects over which the Dean has authority. The Faculty Student Council thus has right of approval on the programme-related part of the Student Charter. In addition, the Faculty Student Council has advisory powers regarding topics for which the Dean is pre-eminently responsible, such as the faculty regulations and the Teaching and Examination Regulations. The faculty regulations detail the rights of the Faculty Student Councils.

#### 7.5

##### Board of Studies (Art. 9.18 of the WHW)

A Board of Studies is established for each degree programme. Half of this board's members are students enrolled for the degree programme in question.

The responsibilities of the Board of Studies are:

- to make recommendations on the Teaching and Examination Regulations (OER);
- to annually assess the implementation of the Teaching and Examination Regulations;
- to make solicited or unsolicited recommendations to the degree programme's board and to the Dean on all educational matters within the degree programme concerned.

For further details see the programme-related part of this charter on the internet.

# 8.

## Studenten Facilities

### 8.1

#### General

As well as its educational facilities, TU Delft also provides a number of other facilities for students. An important function of these facilities is to prevent or remove any impediment to student progress. To this end, for example, all faculties employ Academic Counsellors who may be consulted for information and help concerning a wide variety of educational matters. The right to supervision by Academic Counsellors and professors is explained in the programme-related part of the charter.

Furthermore, at central level there are a number of officials who can provide help and guidance in a variety of areas. Their work falls within the scope of the Student and Staff Facilities (SDV), a part of Education & Student Affairs (ESA).

Education & Student Affairs is also responsible for facilities of a somewhat different nature, such as the Central Student Administration, the International Office, Sports & Culture, and the Management Centre for International Cooperation CICAT (for an overview see [www.os.tudelft.nl](http://www.os.tudelft.nl)).

### 8.2

#### For whom are the services of Student and Staff Facilities (SDV) intended?

- Students at TU Delft who need help with questions or problems relating to their studies (see 8.3 for an overview) can contact Student & Career Support (either at the Front Office of Education & Student Affairs, by telephone on 015-278804, or at [studentandcareersupport@tudelft.nl](mailto:studentandcareersupport@tudelft.nl)).
- Professors and study supervisors with questions on the current situation in pre-university education (VWO) can contact the policy officer concerned with improving the link between pre-university education and TU Delft.
- University staff (and students) can make use of the FOCUS centre of expertise and education. FOCUS contributes to thinking on the university's educational approach and supports (innovative) educational projects in the faculties.

### 8.3

#### With what questions can you approach Student and Staff Facilities (SSF)?

Students can approach SSF with any questions or problems that require specialisation that is insufficient or lacking within the faculty, or for which the faculty has specifically transferred responsibility to the centre. SSF may be able to help you directly, or they may refer you to the appropriate source to help you find an answer to your question. You can approach the centre with questions related to:

- enrolment rights,
- student grants,
- legal student matters,
- funds and financial assistance,
- choosing a programme or switching to a different programme,
- impediments to student progress,
- personal problems,
- preparation for the job market,
- studying with an impairment,
- diversity,
- courses and workshops,
- degree programmes in the Netherlands and abroad.

### 8.4

#### Which divisions of Student and Staff Facilities (SSF) are important to students?

For help with questions and problems you can contact Student & Career Support. You can

search for information in the information centre, and student counsellors and university psychologists can help you with personal matters. Student & Career Support also offers a wide range of workshops and training courses (partly free of charge) to help you in your studies: Smart Study. The Career Centre offers support by informing you of the study options available to you, or by helping you look for your first job and identifying the skills you need. If you have any complaints, you can contact the Central Complaints Office (see Appendix 7).

#### **Student & Career Support: Information centre**

You will find the Student & Career Support information centre on the ground floor of the Education & Student Affairs building on Jaffalaan 9A (Mekelweg entrance). It is open on working days between 09:00 and 17:00. It provides information on study programmes both in and outside the Netherlands, language courses, guides to businesses and profiles, and country-specific guides with tips for applying for jobs abroad, as well as information on job application procedures and tests. The notice board in the front hall shows announcements of study and career-related activities on and around the campus, and also features company posters. A useful vacancies board at the back of the information centre lists a variety of job opportunities, part-time positions, internships, and exciting job openings for those starting out on their careers. You can use all this information yourself, or to prepare for an interview with one of our employees.

#### **Student & Career Support: central student counsellor**

Student facilities also comprise the services of a central student counsellor. The central student counsellor provides support in creating the necessary circumstances for study to progress without impediment. Particular attention is paid to minority groups. The central student counsellor's expertise lies in the explanation of regulations (for example, those for enrolment and unenrolment, student grants and financial assistance) and psychosocial support. Support is also provided to students who belong to a special group, such as students with a disability. The central student counsellor's expertise should be seen as a supplement to faculty-based academic advice. The central student counsellors hold a weekly open consultation hour and can be contacted via the Front Office of Education & Student Affairs. For more information please see [www.studentandcareersupport.tudelft.nl](http://www.studentandcareersupport.tudelft.nl).

#### **Student & Career Support: university psychologists**

You can approach the university psychologists with problems that are affecting your ability to study or make the most of your student life. This may include issues such as difficulties with concentration, motivational problems, fear of failure (perfectionism), deferring behaviour, limitations like ADHD, dyslexia, ASS, physical complaints with no apparent cause, grief, or other personal problems you may find difficult to discuss with others. All conversations with the psychologists are strictly confidential. The psychologists hold an open consultation hour every Tuesday from 11.30-12.30 and can be contacted via Counter 1 of Education & Student Affairs. You can also register online at [psychologen.tudelft.nl](http://psychologen.tudelft.nl).

#### **Student & Career Support: Smart Study**

Student & Career Support also offers a large number of workshops and training courses, such as Study Acceleration, Smarter Ways to Take Exams, Choosing a Programme (Again), Thinking Constructively, Mindful Stress Relief, Mind mapping, Applying for Jobs, Ready for a Change?, Energy Management, Stress Management, and Assertiveness. For a complete overview, see [smartstudie.tudelft.nl](http://smartstudie.tudelft.nl). You can enrol either via this website or at Counter 1 of Education & Student Affairs. A small fee is payable for some of the training courses and workshops.

#### **Student & Career Support: Career Centre**

The Career Centre helps you consider new study options and various career opportunities, find your first job, resume your studies, or even suspend them (temporarily). The Career Centre is there to support students (seeking to terminate or switch their study programme, or in their choice of Master's programme), graduates and those on the point of graduating (looking for a job, applying for a job, drawing up a CV, information on the employment market, whether or not to do a PhD) and prospective PhD students. A number of online tools are also at your disposal for help with your study or career-related questions, at [careercentre.tudelft.nl](http://careercentre.tudelft.nl), and there is a walk-in consultation hour every Tuesday and Thursday, between 11:30 and 12:30.

#### **Central Complaints Office for students**

If you have a complaint about TU Delft, the faculty, or its employees, try to resolve it with the person or department concerned. If this does not help, you can contact the central complaints office for students. The office will then put your complaint to the relevant person or department with a request to find an appropriate solution. If you do not agree with this outcome, you can contact the Student Ombudsman.

Jaffalaan 9A (visitors entrance on Mekelweg)  
2628 BX Delft

e-mail: [centraalklachtenloket@tudelft.nl](mailto:centraalklachtenloket@tudelft.nl)  
tel. +31 (0)15 – 27 88004  
website: [www.centraalklachtenloket.tudelft.nl](http://www.centraalklachtenloket.tudelft.nl)

**Student Ombudsman**

If you do not agree with the way your complaint was handled, you may present your complaint to the Student Ombudsman, Mr E.P.M. Moors. He will mediate as an independent party between complainant and respondent. He can also make recommendations to the relevant authority (the Executive Board or the faculty dean).

Jaffalaan 9A (visitors' entrance on Mekelweg)  
2628 BX Delft

e-mail: [centraalklachtenloket@tudelft.nl](mailto:centraalklachtenloket@tudelft.nl)  
tel. +31 (0)15 – 27 88004  
website: [www.centraalklachtenloket.tudelft.nl](http://www.centraalklachtenloket.tudelft.nl)

## 8.5.

What other facilities are available to students?

**Academic Counsellors**

All faculties have Academic Counsellors to provide individual or group assistance to students who are experiencing difficulties in relation to their studies or would like more information about possibilities within the degree programme. You can make use of this service throughout your degree programme both for matters concerning your studies (for example, education, academic study plans, or choice of degree programme) and for matters of a personal nature. You can also approach a counsellor simply to express your feelings. Contact information for the various Academic Counsellors is available at [www.tudelft.nl/studieadviseurs](http://www.tudelft.nl/studieadviseurs) and at the end of this section of the Student Charter.

**Other faculty-based services to students**

Apart from the Academic Counsellor, all faculties also have members of staff who are able to provide help with finding a suitable internship (the Internship Officer), or who can offer advice if you would like to study abroad or take part in an exchange programme (the International Relations Coordinator). For more information see the section on Internationalisation in this charter.

**ESA Front Office**

The ESA Front Office (the desk on the ground floor of the E&SA building) is the first point of contact for both prospective and enrolled students. It provides information on admissions, enrolment, study progress, student administration, international student mobility and other student facilities. The information it provides is of a general nature and is immediately available. For more specific matters the Front Office can tell you where to find the information you are looking for, or refer you on to an external organisation, for example in the field of housing or healthcare. The Front Office is open daily from 9.00 am to 5.00 pm.

**TU Delft Sports and Cultural division**

TU Delft attaches great value to Sports and Culture. That is why the Sports and Cultural division offers you the opportunity to buy a sports card or follow or cultural courses at a reduced rate. A great way to stay fit and discover and develop your talents alongside your studies. We offer a huge range of activities: around 70 different sports and approximately 70 creative courses. In addition, our modern gym is open all day long. The teachers in the Sports & Culture team are all professionals. Besides the permanent programme, a number of special activities and events are programmed every month, including films, workshops and lectures. Sports & Culture is also the home base for many TU Delft sports clubs and cultural associations. You can play sports as a member of a sports association or as an individual. You can also make individual use of the rooms and modern art and performance studios. At the Sports Café you can get lunch but also an affordable meal of the day. So why not come to S&C, there is always lots going on!

**Sports Counter**

T: 015 278 2443  
E: [sport-sc@tudelft.nl](mailto:sport-sc@tudelft.nl)

**Culture Counter**

T: 015 278 3988  
E: [cultuur-sc@tudelft.nl](mailto:cultuur-sc@tudelft.nl)

**Top-Level Sports Counter**

T: 015 278 2230  
[topsport-sc@tudelft.nl](mailto:topsport-sc@tudelft.nl)

**Central Student Administration**

The Central Student Administration (CSA) performs tasks that are administrated centrally. These are in the field of enrolment and unenrolment, payment of tuition and examination fees, refunding of tuition fees, financial assistance (in particular the implementation of the Graduation Support Scheme), the funding of study trips, and the admission to Bachelor's and Master's degree programmes of students with qualifications from countries other than



the Netherlands. The CSA is also responsible for the exchange of information with the DUO (the former Information Management Group) and the issuing of Proofs of Enrolment and Campus Cards.

The CSA can be contacted via the ESA Front Office by e-mail: CSA@tudelft.nl, or by telephone (015 – 2784249) between 09:00 and 17:00 (between 09:00 and 13:00 from July to October).

#### **SGZ (Student Health Care)**

Student Health Care (SGZ) is an organisation where students can get medical care. You can register with the SGZ general practice if you have moved to live in Delft. You can also contact the SGZ for health checks relating to an internship, for a medical certificate, treatment of RSI complaints, and tests for dyslexia. You should also contact the SGZ if you need vaccinations for travelling to tropical regions. Costs for vaccinations required for an internship are partly refunded by TU Delft, provided you have been referred by an Academic Counsellor or central student counsellor.

SGZ has a users' council to which you can e-mail questions, comments and complaints about the service (gebruikersraad@SGZ.nl). The council's members include students from the Student Council and Student Union (VSSD) as well as TU Delft Academic Counsellors. For more information, see [www.sgzstudent.nl](http://www.sgzstudent.nl).

#### **TU Delft Library**

TU Delft Library provides the technical and scientific literature and information students need to successfully complete their technical programmes of study. The library not only offers a large collection of professional literature, but it also helps students by assisting them in finding – or learning how to find – the right literature and information.

Every student is automatically a member of the library and the campus card serves as a library pass.

A large part of TU Delft Library's collection consists of books and journals, which may be consulted or borrowed in one of the library's branches. However, most of the recent collection is available online. Users can conduct searches of the collection on [library.tudelft.nl](http://library.tudelft.nl). Some digital resources are only available through the TU Delft network. VPN connections make access possible from other locations.

It is possible for students with reading problems to have literature converted to audiofiles. Students with a dyslexia certificate can submit course material to the information desk in the central library. The audiofiles will then be available from the TU Delft repository three days later.

TU Delft Library helps students find and use literature and information. Students can consult the information skills website TULib ([tulib.library.tudelft.nl](http://tulib.library.tudelft.nl)), but the Ask Your Library customer service is also there to help students, online via [askyourlibrary.tudelft.nl](http://askyourlibrary.tudelft.nl) or at the information desk. Lectures on information skills, provided by TU Delft Library, are also incorporated in the curriculum of several degree programmes.

In addition to literature and information, TU Delft Library also offers students a place to study. The central library has a number of project rooms which students can book ([library.tudelft.nl/projectruimtes](http://library.tudelft.nl/projectruimtes)), and many individual study spaces both with and without a computer. During the scheduled examination periods there is also a Mathematics and Mechanics helpdesk for Bachelor's students requiring assistance with assignments. The helpdesk is also accessible via instant messenger. The opening hours of the building during the period leading up to examination periods, as well as those of the helpdesk, can be found at [library.tudelft.nl](http://library.tudelft.nl).

### 8.6.

#### **Where is Student and Staff Facilities (SSF) located?**

All services provided by ESA and therefore also by Student and Staff Facilities (with the exception of Sports & Culture) can be obtained via Education & Student Affairs (ESA), Jafalaan 9A (main entrance on Mekelweg). The staff at the Front Office will be able to direct you further. On weekdays ESA is open from 9.00 am to 5.00 pm.

You can contact Student & Career Support by telephone ((015 – 27 88004) or by e-mail ([studentandcareersupport@tudelft.nl](mailto:studentandcareersupport@tudelft.nl)). You can enrol for workshops and training courses at [www.smartstudie.nl](http://www.smartstudie.nl).

For more information see [www.sdv.tudelft.nl](http://www.sdv.tudelft.nl).

## Addresses of Academic and Student Counsellors

ACADEMIC COUNSELLORS				
Faculty/programme	Name	Tel.	e-mail	Address
<b>Bk</b>	Ellen Sackers	87830	p.e.sackers@tudelft.nl	Julianalaan 134, 2628 BL Delft
	Sietske Sibie	85112	s.sibie@tudelft.nl	
	Milka van der Valk Bouman	06 39251363	e.vandervalkbouman@tudelft.nl	
<b>CITG</b>	Karel Karsen	83337	k.o.karsen@tudelft.nl	Stevinweg 1, 2628 CN Delft
	Pascal de Smidt	81068	p.desmidt@tudelft.nl	
<b>EWI</b>	Jolien Kooijman	83802	studieadviseurs-ewi@tudelft.nl	Mekelweg 4, 2628 CD Delft
	Gytha Rijnbeek	85158	studieadviseurs-ewi@tudelft.nl	
<b>L&amp;R</b>	Jill Morales	82567	academiccounselor-ae@tudelft.nl	Kluyverweg 1, 2629 HS Delft
	Eefke Rienstra	82145	academiccounselor-ae@tudelft.nl	
	Esther Buizer	82048	academiccounselor-ae@tudelft.nl	
<b>IO</b>	Jack Wiltjer	83041	j.h.wiltjer@tudelft.nl	Landbergstraat 15, 2628 CE Delft
	Hanneke Thieme	82941	j.c.thieme@tudelft.nl	
	Willemine Biemond	83041	w.m.biemond@tudelft.nl	
<b>3Me</b>	Lourdes Gallastegui Pujana	86591	m.l.gallastegui@tudelft.nl	Mekelweg 2, 2628 CD Delft
	Pauline van der Sman	83350	p.m.vandersman@tudelft.nl	
	Lieke Smits	82176	l.m.w.smits@tudelft.nl	
	Ton Valk	82328	b.a.valk@tudelft.nl	
	Evert Vixeboxse	82996	e.vixeboxse@tudelft.nl	
<b>TBM</b>	Marja Brand	88016	m.j.c.c.brand@tudelft.nl	Jaffalaan 5, 2628 BX Delft
	Daniëlle Rietdijk	86407	d.rietdijk@tudelft.nl	
<b>TNW/MSc LST</b>	Mirjam van der Geur	88718	m.vandergeur@tudelft.nl	Lorentzweg 1, 2628 CJ Delft
<b>TNW/BSc TN</b>	Maricha Reedijk	82408	m.reedijk@tudelft.nl	
<b>TNW/MSc AP</b>	Arno Haket	85582	a.j.w.haket@tudelft.nl	
<b>TNW/MSc SEC</b>	Martin Jacobs	85594	m.a.f.m.jacobs@tudelft.nl	
<b>TNW/MSc CH en MSc SET</b>	Brenda van der Ster	87495	b.a.h.vanderster@tudelft.nl	
<b>TNW/BSc NB</b>	Fleur Kruijsdijk	81258	f.j.kruijsdijk@tudelft.nl	Lorentzweg 1, 2628 CJ Delft én Burg. s'Jacobsplein 51, 3015 CA Rotterdam
<b>TNW/BSc LST</b>	Riekje Brandsma	071-5274634	brandsma@chem.leidenuniv.nl	Einsteinweg 55, 2333 CC Leiden
<b>TNW/BSc MST</b>	Anjo Schaap	86295	a.j.schaap@tudelft.nl	Julianalaan 136, 2628 BL, Delft én Einsteinweg 55, 2333 CC Leiden
<b>TNW/MSc IE</b>	Petra Oosthoek	071-5275656	oosthoek@cml.leidenuniv.nl	Einsteinweg 2, 2333 CC Leiden
<b>Function</b>	<b>Student &amp; Career Support employees</b>			
Central student counsellors	Suze-Anne van Geffen	88004	s.a.vangeffen@tudelft.nl	Jaffalaan 9a, 2628 BX Delft
	John Stals	88004	j.b.a.stals@tudelft.nl	
	Stephanie Meulemans	88004	s.m.p.meulemans@tudelft.nl	
Student psychologists	Paula Meesters	88004	p.c.m.meesters@tudelft.nl	
	Inge Verhoeven	88004	i.m.a.j.verhoeven@tudelft.nl	
	Peter van 't Zand	88004	p.s.c.vantzand@tudelft.nl	
	Sasja Voogel	88004	s.voogel@tudelft.nl	
licensed psychologist for Ph.D. students	Paula Meesters	88004	p.c.m.meesters@tudelft.nl	
manager career centre	Caroline Scheepmaker	88004	c.scheepmaker@tudelft.nl	
careers counsellor	Monique Draijer	88004	m.m.m.draijer@tudelft.nl	
Programme choice advisor	Mary Zuiderwijk	88004	m.a.zuiderwijk@tudelft.nl	
careers counsellor	Madeleen Stamm-Vuijk	88004	h.c.m.stamm-vuijk@tudelft.nl	

# 9.

# Internationalisation

## 9.1

### Internationalisation policy

TU Delft internationalisation policy is based directly on the university's mission statement. The principle objectives of the internationalisation policy are:

- International recognition for TU Delft as one of Europe's leading universities of technology, and
- The education of Dutch and international students for the international job market. As a consequence, increasing the intake of international students on TU Delft degree programmes and boosting outward mobility have both been placed high on the agenda by the Executive Board.

## 9.2

### Joint Education

TU Delft participates in a number of Erasmus Mundus programmes. Students in the programmes complete parts of their Master's programme in at least two different European countries.

In addition, TU Delft is also involved in a number of Joint Education Programmes, post-graduate programmes and Double Degree programmes with other universities of technology elsewhere in the world. A current overview of these programmes can be found in the TU Delft Register of Study Programmes.

## 9.3

### International Office

The International Office carries out a large proportion of student-related internationalisation tasks at TU Delft. It assists and facilitates the entry of international BSc, MSc and exchange students. It is also responsible for organising and facilitating outward mobility together with the internationalisation coordinators of the various faculties.

International Office staff can be contacted via the Front Office of Education & Student Affairs: tel. 015 2788012, or [internationaloffice@tudelft.nl](mailto:internationaloffice@tudelft.nl).

## 9.4.1

### International student mobility

The International Office provides advice for TU students on applying for grants to study or internships abroad ('outgoing mobility'). Foreign students who come to Delft for a short period to study or conduct research (exchange students – 'incoming mobility') are also registered and advised by the International Office. Information on outbound mobility can be found at: [buitenland.tudelft.nl](http://buitenland.tudelft.nl) > English. Information on incoming mobility can be found at: [exchange.tudelft.nl](http://exchange.tudelft.nl).

There are a number of special programmes for study and internships abroad:

#### **Erasmus**

The Erasmus programme offers the possibility to study at a university in another European country for a minimum of three months. The most important characteristics of 'Erasmus exchanges' are an allowance; exemption from tuition fees at the host institution; credits for successfully completed subjects; and reception, introduction and often the provision of accommodation on arrival. All universities with which TU Delft has an exchange agreement can be found in the university exchange database: [exchange.tudelft.nl](http://exchange.tudelft.nl).

#### **IDEA League**

The IDEA League is a collaboration between five leading universities of technology: Imperial College (London), ETH (Zürich), RWTH (Aachen), ParisTech (Paris) and TU Delft. IDEA League Student Research Grants are available for research projects. For detailed information about the terms and conditions and of the application procedure, see [idealeague.org](http://idealeague.org).

#### **ATHENS**

Within the scope of the ATHENS programme, students can follow short courses at various European universities in March and November. During these one-week courses, they study subjects on a particular topic and visit places of interest in and around the city. The ATHENS programme is aimed at third-year Bachelor's students and Master's students. Students from other European universities also come to TU Delft to attend ATHENS courses. For detailed information see [buitenland.tudelft.nl](http://buitenland.tudelft.nl) > English > orientation.

#### 9.4.2

##### Admission of international students

The International Office assesses whether students with a non-Dutch pre-university education who wish to study at TU Delft can be admitted to a BSc programme. The criteria on which this decision is based include the level and content of the pre-university course in the other country, the grades achieved, motivation, knowledge of Dutch (for Dutch BSc programmes) and knowledge of English. The International Office also rules on the admission of students to the Master's programmes if they do not have a Dutch educational background. Based on the International Office's recommendation, the faculty then decides whether or not the prospective student will be admitted.

For information on admissions criteria and the admissions process, please see [studyat.tudelft.nl](http://studyat.tudelft.nl).

#### 9.4.3

##### Scholarship programmes for incoming students

In collaboration with the faculties, the International Office administers a series of scholarship programmes for incoming Master's students, including the Huygens Scholarship Programme (HSP), the Justus en Louise van Effen scholarships, DRI scholarships and MCIT. For information on the various programmes see [studyat.tudelft.nl](http://studyat.tudelft.nl) > studying at TU Delft > finances.

#### 9.4.4

##### International Relations

The International Office organises a range of practical matters for incoming international students. This includes applying for a visa and residence permit, DUWO student accommodation, and acting as an intermediary to open a bank account. In August, the International Office also organises the reception and introduction programme for new international students: the Introduction Programme. In a two-week period, the programme provides an intensive introduction to the university (including teaching and assessment methods), and to life in the Netherlands (prevailing norms, values, conventions, social introductions). The programme is supervised by staff members of the International Office and by coaches recruited from current Dutch and foreign students.

In addition, the International Office administers and maintains the internet community for all international students, Delftulip.

Appendix 13 to this Student Stature contains a Code of Conduct for international students. This Code has been established in association with VSNU.

#### 9.8

##### Addresses and other information

###### \* Central International Office TU Delft

Jaffalaan 9a, 2628 BX Delft  
tel.: +31 15 2788012  
email: [InternationalOffice@tudelft.nl](mailto:InternationalOffice@tudelft.nl)

###### Faculties

###### \* 3mE International Office

Mascha Toppenberg and Fatma Cinar  
Mekelweg 2, 2628 CD Delft  
tel.: + 31 15 2786753  
email: [f.s.cinar@tudelft.nl](mailto:f.s.cinar@tudelft.nl)

- \* Architecture International Office**  
Madeleine de Morree and Shirin Musa  
Julianalaan 134, 2628 BL Delft  
tel. + 31 15 2788240  
email: internationaloffice-BK@tudelft.nl
- \* CEG International Office Marion van Eijck**  
Marion van Eijck and Maaïke Kraeger-Holland  
Stevinweg 1, 2628 CN Delft  
tel.: + 31 15 2783511  
email: m.vaneijck@tudelft.nl
- \* EEMCS International Office**  
Hatin Pediz-Tekis and Jan de Vries  
Mekelweg 4, 2628 CD Delft  
tel.: + 31 15 2783506  
email: mscEWI@tudelft.nl
- \* IDE International Office**  
Willemine Biemond and Janneke Arkesteijn  
Landbergstraat 15, 2628 CE Delft  
tel.: + 31 15 2781077  
email: InternationalOffice-IO@tudelft.nl
- \* AE International Office**  
Cora van Haaren and Femke Verdegaal  
Kluyverweg 1, 2629 HS Delft  
tel.: + 31 15 2781355  
email: studyabroad-ae@tudelft.nl and exchange-ae@tudelft.nl
- \* TPM International Office**  
Toke Hoek  
Jaffalaan 5, 2628 BX Delft  
tel.: + 31 15 2783367  
email: c.a.hoek@tudelft.nl
- \* AS International Office**  
Gina The, Tamara Bacsik and Annette van den Berg-Verweij  
Lorentzweg 1, 2628 CJ Delft  
tel.: + 31 15 2781595  
email: exchange-TNW@tudelft.nl and msc-TNW@tudelft.nl

# 10.

## *House rules and disciplinary measures*

The Executive Board can issue regulations and take measures to ensure proper procedure is followed in the buildings of the university and on its grounds. These measures may include the partial or complete exclusion from the buildings or grounds of a person who has infringed the regulations, for a period of up to one year. Students may also have their enrolment terminated, for a maximum period of one year. Access to buildings and the grounds may be denied permanently, and enrolments may be terminated permanently, in the case of any student who continues to commit acts of serious misconduct even after a warning has been issued. TU Delft has drawn up a general set of regulations covering this area, and is included in Appendix 11 of the Student Charter.

### **ICT management regulations**

TU Delft has specifically made use of this possibility in respect of the use of ICT facilities for students.

This is reflected in the 'TU Delft Management Regulations for the Use of Educational ICT Facilities by Students'<sup>2</sup>.

These regulations govern the use by students of the university's network and computer equipment (see Appendix 7 to this charter) with the 'Regulations for the limitation of data traffic for TU Delft student lodgings with FttD' as an appendix.

### **No-smoking rule**

Smoking is prohibited in all TU Delft buildings except in designated smoking areas. The Executive Board has requested the Deans of the faculties to ensure that the no-smoking rule is strictly enforced.

### **Safety and security**

TU Delft considers safety and security to be extremely important. It is a broad field, which includes working conditions, crisis management, environmental issues, detection, incident management, risk management and contact with the police and security services. These points of attention require coordination. Since the beginning of 2006 TU Delft has therefore had a Safety and Security Manager, responsible for the integrated management of safety and security risks throughout the university. It is also being investigated how risks can be further limited and controlled. Organisationally the post falls within the Strategic Support department of the University Corporate Office. The Safety and Security Manager reports directly to the director of Strategic Support.

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<sup>2</sup> Service accounts have not been used at TU Delft for several years. The Net-ID is the current method of choice.

# 11.

## *Legal protection*

### 11.1

#### General: one-stop-shop

Legal protection for students is set out in the WHW. A number of changes took effect on 1 September 2010, which are briefly described here in 11.1. For greater ease of access, for example, a single facility, or one-stop-shop, has been set up. This is a central point that also offers online access (centraalklachtenloket@tudelft.nl). Any student or external student, past, present or future may use it to submit a complaint, objection or appeal. Various useful addresses are given at the end of this section.

The central one-stop-shop ensures that complaints, objections and appeals that have been submitted are sent to the appropriate party to be dealt with. The procedures vary. Depending on the kind of ruling that is required, either the objection procedure (in the case of enrolment or RAS-related rulings, for example) or the Examination Appeals Board appeals procedure (in the case of Board of Examiners or examiner-relation rulings, for example) will apply.

Apart from the one-stop-shop, other features are a complaints procedure, the procedure for objections, the period of time allowed for submitting an appeal to the Examination Appeals Board, and the body to which students may lodge appeals at a higher level. There is only one body with which an appeal may be lodged against WHW-related rulings in student affairs, and that is the Appeals Tribunal for Higher Education (the CBHO in The Hague).

Before starting a procedure, students can always consult an Academic Counsellor. External help is also available from the VSSD, any legal aid office, district advisory centre or Bureau voor Rechtshulp (in the case of an appeal to the CBHO, for example). If the problem is of a general nature, students may contact the Faculty Student Council or Central Student Council.

### 11.2

#### Complaints

The 'TU Delft Regulations on Student Complaints' (Appendix 7) govern the procedure by which complaints are lodged and dealt with. Students may submit complaints either verbally or in writing. Complaints are coordinated and registered centrally, although in principle they are dealt with by or on behalf of the relevant Dean or director. If the question of who should handle a complaint is not clear-cut, then it will be dealt with by the central office of Education & Student Affairs.

The procedural aspects of how written complaints are dealt with are covered by Articles 9:4 to 9:12a of the General Administrative Law Act (AWB), which states the criteria with which a complaint must comply; the impartiality of the person dealing with the complaint, and the cases where a complaint does not have to be dealt with, for example where the conduct against which the complaint is aimed took place more than a year previously, or if the complainant had the option of lodging an objection or appeal. An important part of the procedure is hearing the point of view of both the student and the person against whom the complaint is made and, as a rule, the complaint should be dealt with within ten weeks of its having been submitted.

#### 11.2a

##### Student ombudsman

Depending on the nature of the complaint, the central office can also put the complaint before the ombudsman. He or she only deals with written complaints. Students also have the option of submitting complaints to the ombudsman if they are not happy about the way their complaints have been dealt with by the Dean or division.

**11.2b****Complaints in the case of serious misconduct**

A separate procedure exists for complaints regarding serious misconduct, such as bullying or sexual harassment (TU Delft Regulations for Complaints Concerning Undesirable Behaviour, Appendix 6). Anyone who is or has been the victim of serious misconduct can seek help, support and advice from a confidential advisor. He or she can also assist students wishing to submit a written complaint to the Executive Board, which has set up a complaints committee for dealing with such complaints. The committee examines whether or not the complaint is admissible, before investigating whether or not an amicable settlement can be reached. If this is not the case, then the committee hears the point of view of the student and that of the person against whom the complaint is directed. The committee then advises the Executive Board about what measures to take.

**Confidential adviser**

Every faculty and the University Corporate Office has one or more confidential advisers, from whom students can get more information. The Network of University Confidential Advisers in the Netherlands has drawn up a number of guidelines for supervisors. The guidelines contain valuable information on aggression, employment conflicts, sexual harassment and bullying.

Cases of discrimination can also be reported to the local Discrimination Office (Bureau Discriminatiezaken van de regio's Hollands Midden en Haaglanden). This is especially the case for discrimination occurring outside the university, but discrimination at the university can also be reported to the agency.

**11.2c****Academic Integrity Regulations**

Students are entitled to submit a complaint if they suspect a breach of what is referred to as academic integrity, an example of which is where another student reproduces part of a thesis or if a scientist uses research carried out by a student without acknowledging his or her name. The procedure is governed by the Academic Integrity Regulations (available on request) and also includes a provision on dealing with complaints, the possibility for reaching an amicable settlement, hearing the different sides of the arguments, and the means by which the Executive Board reaches a decision.

**11.2d****National Ombudsman**

The final item on the list of complaints procedures is that of the National Ombudsman. In general, complaints may only be submitted to him if all other complaint channels have been exhausted.

**11.3****Objections**

Students may object to decisions taken by the Executive Board based on the WHW. An exception to this are decisions taken on the basis of Article 7.61 of the WHW, against which appeals should be lodged with Examination Appeals Board. Objections may be lodged regarding decisions on:

- enrolment and unenrolment;
- tuition fees (payment, refunds, exemptions);
- whether or not to award Graduation Support (RAS);
- disciplinary measures relating to access to university buildings and premises.

The Executive Board has set up an advisory committee to advise the Board on decisions regarding objections. Among other things, the 'TU Delft Student Objections Committee Regulations' (Appendix 8) describes how the membership of this independent committee is arranged. The provisions on objection procedures as laid down in the General Administrative Law Act apply, apart from some exceptions listed in the WHW.

The procedure is as follows:

- the period of time allowed for submitting an objection is six weeks. The period begins from the date after which the ruling was sent;
- the objection must comply with a number of requirements and contain at least:
  - the name and address of the person making the objection;
  - his or her signature;
  - the date;
  - a description of the ruling against which the objection is directed (a copy of the ruling should be sent);
  - the grounds for the objection (arguments as to why the ruling is not correct);
  - an investigation as to whether an amicable settlement is possible; (the decision-making process regarding the objection may be suspended during this procedure, in consulta-



- tion with the student);
- the committee terminates the procedure if an amicable settlement is reached, or continues its deliberations on the objection;
- hearing (the committee hears the student and a representative from the Board at the same time);
- the committee makes its recommendation to the Board (which the Board is free to accept or ignore);
- ruling on the objection (in principle, within ten weeks).

**Rulings on objections are as follows:**

- Inadmissible; the substance of the objection is not dealt with: this happens, for example, if the objection does not meet the necessary requirements or if it is submitted too late. However, students are always given the opportunity to correct omissions or errors, or to demonstrate that the reason for the lateness in submitting the objection was justifiable. Being on holiday or ill are not acceptable reasons. It is therefore advisable to arrange for someone to keep an eye on one's post in the event of long-term absence.
  - Upheld; the student has valid ground for objection;
  - Rejected; the objection is dismissed.
- Rulings may also be a combination of the three.

Rulings on objections and the recommendations are sent to students, who are advised of their right to appeal within six weeks to the Appeals Tribunal for Higher Education in The Hague (see 11.5).

There is no charge for submitting a complaint. In some cases, it is possible to obtain a reimbursement for professional legal assistance, provided the objection is upheld and the student has applied for a refund. The amounts concerned are fixed, and they do not cover all the charges that are incurred.

**Emergency procedure**

There is also the option of requesting an emergency procedure when submitting an objection. If the chairman is of the opinion that time is indeed of the essence, then the committee will issue its recommendations as quickly as possible after the hearings, so that the Executive Board can reach a decision within four weeks.

## 11.4

### Examination Appeals Board (CBE)

A so-called administrative appeal may be lodged to the Examination Appeals Board (CBE) against certain rulings. The CBE has an independent chairman and consists of teachers/academic staff and students.

Students may lodge an appeal against rulings such as:

- those taken by a board of examiners and/or an examiner;
- those relating to binding recommendations on continuation of studies
- exemptions on the grounds of diplomas obtained elsewhere/exemptions
- those relating to a university entrance examination (colloquium doctum);
- those relating to admission to Master's degree programmes (for students with foreign educational qualifications).

The Regulations of the Examination Appeals Board are included in Appendix 9.

Unless stated otherwise in the WHW, this procedure is also subject to the provisions of the AWB.

The procedure is as follows (it is similar to the objection procedure described in 11.3, but is not the same):

- the period of time allowed for lodging an appeal is six weeks, from the date after which the ruling is sent;
- the appeal must meet a number of requirements and contain at least:
  - the name and address of the appellant;
  - the signature of the appellant;
  - the date;
  - a description of the ruling against which the appeal is being lodged (a copy of the ruling should also be sent);
  - the grounds for the appeal (arguments as to why the ruling is not correct);
- before the appeal is dealt with, the CBE asks the body that made the disputed ruling to investigate whether or not an amicable settlement can be reached; (the CBE must be informed within three weeks as to whether an amicable settlement can be reached, or if not, whether a statement of defence is to be submitted);
- if there is no amicable settlement, then the CBE will deal with the appeal;
- hearings (the CBE hears the student and the body (or its representative) whose ruling is being appealed, at the same time));
- the CBE makes a decision (in principle, within ten weeks after receiving the notice of appeal).

The ruling on the appeal can be as follows:

- Inadmissible; the substance of the appeal is not dealt with; - Upheld; the student wins his or her appeal;
- Rejected; the appeal is dismissed.

The ruling may also be a combination of the three.

If the CBE upholds an appeal, it quashes the disputed ruling either wholly or in part. The CBE is not authorised to substitute the old ruling with a new one, but it can decide that the body in question must make a new ruling and impose conditions and a time limit (for example, that an exam must be offered within two weeks, or that an exam should be reassessed).

The appeal verdict is sent to the student, who is informed of his or her right to appeal against the ruling within six weeks to the Appeals Tribunal for Higher Education in The Hague (see 11.5).

Lodging an appeal with the CBE does not involve any costs for students. In some cases, it is possible to obtain a reimbursement for professional legal assistance, provided the appeal is upheld and the student has applied for a refund. The amounts concerned are fixed, and they do not cover all the charges that are incurred.

#### **Emergency procedure**

It is possible when lodging an appeal to ask the chairman to make a provisional order in anticipation of the substantive handling of the appeal, such as to have the disputed ruling suspended. Any such request will only be honoured if there are immediately pressing reasons for doing so. The emergency procedure with the chairman of the CBE must include hearings of the parties concerned, or they should at least be given the opportunity to attend.

### 11.5

#### Appeals Tribunal for Higher Education

Within six weeks of receiving a notice of a ruling against an objection on a student-related matter or a decision of the CBE, students may lodge an appeal with the Appeals Tribunal for Higher Education (CBHO) in The Hague. The CBHO website ([www.CBHO.nl](http://www.CBHO.nl)) includes further information and describes the procedure in clear terms. This procedure, too, is covered by the regulations in the AWB. This means, for example, that the option for an emergency procedure exists (provisional verdict). A significant difference with regard to the AWB is that decisions made by the CBHO may not be appealed. The verdict of the CBHO is therefore final.

Students wishing to lodge an appeal with the CBHO must pay 42 euros in court charges, but they do not require a lawyer.

The CBHO can issue the following verdicts:

- Inadmissible; the substance of the appeal is not dealt with;
- Upheld, which means that the student has won his or her appeal. The CBHO may order the Executive Board to make a new ruling.
- Rejected: the appeal is dismissed.

Different verdicts may be delivered for different parts of the same case.

In delivering its verdict, the CBHO may also decide that the Executive Board must reimburse the court charges to the student, and refund any legal costs that the student has incurred (this is a fixed amount).

### 11.6

#### The Incremental Penalty Payments and Appeal in the Event of Late Decision Act

This law allows for action to be taken in the event of late rulings. The decision-making bodies of the university (Executive Board, the Deans, the Boards of Examiners) have to adhere to time limits, such as the legally prescribed time limit for reaching a ruling on an objection, or the so-called reasonable period of time (eight weeks) that often applies to rulings on requests (for financial support, for example). If the period of time has elapsed without a ruling having been made with regard to the objection or the request, then the student in question is in principle entitled to payment of a penalty. However, the decision-making body in question must first be informed in writing of its default, and be given another two weeks to come to a ruling. Once this period has passed without a ruling having been made, then the student is entitled to a penalty payment. The amount per day is set down in the Act, to a maximum of 42 days, and may not exceed 1,260 euros. If payment is not forthcoming, the student may lodge an appeal with the courts, without the need to exercise the objection procedure.

### 11.7

#### Privacy

The use and processing of personal data must comply with the terms of the Personal Data Protection Act (WBP). Under the terms of the AWB, objections and appeals may be lodged against decisions made by the Executive Board on the basis of the WBP. In the case of objections of this kind, it is not the objection committee of students that advises the Executive Board, but another objections committee. This procedure is governed in its entirety by the provisions of the AWB.

### 11.8

#### Student grants

The body to approach in the case of problems relating to student grants is the DUO in Groningen. Their website includes the information needed by students for lodging objections or appeals. These procedures are governed by the provisions of the AWB. Information is also available from Education & Student Affairs.

### 11.9

#### Addresses and information

For submission of complaints, objections and appeals to the CBE

##### **Central Complaints Office**

Jaffalaan 9A 2628 BX Delft  
centraalklachtenloket@tudelft.nl  
015-2788004

Objections and appeals against the CBE may also be lodged with Executive Board

##### **f.a.o. BO/Legal Affairs**

Postbus 5, 2600 AA Delft  
JZ@tudelft.nl

Lodging appeals at the Appeals Tribunal for Higher Education

##### **CBHO**

Postbus 636, 2501 CN The Hague  
www.cbho.nl  
info@cbho.nl

The Ombudsman for TU Delft students

##### **c/o management of Education & Student Affairs**

Jaffalaan 9A, 2628 BX Delft  
tel. 015- 27 88004.  
E-mail: ombudsman@tudelft.nl  
Website: www.tudelft.nl/ombudsman

Objections against DUO

Consult the DUO leaflet (also available at [www.duo.nl](http://www.duo.nl)) entitled, 'U bent het niet eens met een beslissing' ('You disagree with a decision').

Send objections against DUO to:

##### **Dienst Uitvoering Onderwijs**

Bezwaar en Beroep  
Postbus 50081, 9702 EA Groningen

##### **TU Delft confidential advisor:**

See [www.vertrouwenspersoon.tudelft.nl](http://www.vertrouwenspersoon.tudelft.nl)

Discrimination Office

##### **Bureau Discriminatiezaken Hollands Midden en Haaglanden,**

Het Nutshuis, Postal address:  
Riviervismarkt 5 Postbus 273  
The Hague 2501 CG The Hague  
Tel: 0800 3218686  
[www.discriminatiezaken.nl](http://www.discriminatiezaken.nl)  
[bureau@discriminatiezaken.nl](mailto:bureau@discriminatiezaken.nl)

Privacy

Requests to view personal information:

Executive Board

f.a.o. the Data Protection Officer

##### **BO/Legal Affairs**

Postbus 5, 2600 AA Delft. JZ@tudelft.nl

**Advice**

Faculty Academic Counsellors (see Section 8)

**Student & Career Support**

Jaffalaan 9A 2628 BX Delft 015-27 88004

Central Student Council

Mekelweg 4 2628 CD Delft

015-27 81430

**Delft Student Union (VSSD) Student Helpdesk**

Leeghwaterstraat 42

2628 CA Delft

015-27 82050

## E-mail as a communication medium

TU Delft frequently communicates with students on such matters as enrolment and unenrolment. This often relates to matters of a sensitive nature such as enrolment applications that are not in order, enrolment after 1 September, students whose enrolment has been cancelled by the institution, whether or not study programmes are in order and/or graduation files completed, etc.

TU Delft considers e-mail communication as a legal form of communication mail for all correspondence from TU Delft. However, this does not mean that all communication will be conducted exclusively by e-mail; communication by letter will remain an option as and when this is deemed necessary or more effective.

## TU Delft e-mail address

Upon enrolling as a student of TU Delft, all students are allocated a TU e-mail address where they will receive any relevant messages from the EB, boards or faculties. Students will be informed of the purpose of the TU Delft e-mail address and are expected to take note of e-mail messages received from TU Delft.

E-mail makes it possible to quickly inform students about current issues or events. Students may also be asked to respond or act in the interest of their academic progress.

## Additional information

Students can find lots of general information about TU Delft on the TU Delft website and on Blackboard. Education announcements may be made in the form of Blackboard announcements.

E-mails of a general nature, as opposed to individual e-mails, will also be posted on Blackboard under general announcements, so that it can still be read once the receiver has deleted it.

# II.

## Quality and studiability

### Foreword part II

'Part II: Quality and Studiability' is of a different nature from part I. Part I presents the details of statutory and supplementary regulations. Part II gives a description of policy intentions on the part of the university administration aimed at continued improvement in the quality and 'studiability' of degree programmes. The activities resulting from the decisions that have been made are at a different stage of implementation for each subject. Also for each degree programme they may have been introduced to a greater or lesser extent. Where they have been implemented, and at the stage to which this has happened, rights can be derived from the points set out. Where they have not yet been implemented, they indicate a duty on the part of TU Delft to use its best efforts.

### Curricula

The curricula are designed to enable future graduates to acquire knowledge independently on a specific subject and adjacent scientific fields in professional practice. Degree programmes are predominantly aimed at instilling an independent and investigative attitude to study, which enables the student in the later phase of study to draw relationships between aspects of pure applied science and other relevant aspects of technological problems. During the propedeuse (first year) the student orientates him or herself within the degree programme, and selection and referral takes place. In their basic curricula the degree programmes aim to achieve uniformity in a number of subjects, involving a minimum of 20 credits from the core curriculum (Analysis, Linear Algebra, Differential Equation and Probability/Statistics, the modules in the field of Mechanics, and an Arts/Social and Behavioural Studies module).

It has been decided to introduce the major/minor structure, with the aim of making Bachelor's degree programmes flexible. Minors offer you the opportunity to broaden your knowledge. A number of minors enable transfer to a Master's degree programme in a different engineering discipline. The Bachelor's phase ends with an assignment whereby the student demonstrates the ability to integrate his or her knowledge and skills, possibly including certain research skills. The degree programmes focus attention on increasing insight into the complex social decision-making processes in which graduates may become involved during the practice of their profession, and on teaching the argumentative and social skills they will need in order to do so, and to evaluate issues related to the role of engineering in society, also in ethical terms.

In each curriculum, attention is paid to socially-oriented subjects. The Faculty of Technology, Policy and Management has developed courses in the field of ethical aspects of engineering.

Aspects of sustainable development are clearly included in the most relevant educational components within specific subject areas. There is a basic module entitled 'Technology in Sustainable Development', a minor in Sustainable Development, and furthermore the subject of sustainable development can be a recognised specialisation in all Master's degree programmes. Components on economics, business and public administration, and law are systematically included, aimed at increasing insight in the structure and functioning of businesses and organisations. By taking into consideration the reasonable wishes of the corporate sector when making decisions on the design and content of degree programmes, the university increases the graduate's career opportunities in the job market. The institution strives to have its degree programmes internationally accredited. The content of the faculties' Bachelor's programmes is geared to the pre-university (VWO) profiles that have applied since 2001.

### Objectives

The specific aims of each degree programme and the objectives of the individual elements in the educational process as well as those of the process as a whole are formulated with as much care as possible. The components of the curriculum are organised and coordinated so as to prevent any impediments to study, or delays resulting from suboptimal organisation. Students can submit reasonable complaints to the designated bodies on such matters if their interests have been harmed.

### Curriculum Information

In the autumn preceding the new academic year, the Executive Board announces the organisation of the coming academic year. For most degree programmes, an overview of the compulsory components of the curriculum can be found on the faculty's website. The organisation of the curriculum may not conflict with the current guidelines for the uniform programming of the academic year.

### Teaching and Examination Regulations (OER)

It is the responsibility of the Executive Board to ensure that Teaching and Examination Regulations for degree programme(s), drawn up in accordance with the provisions of Art. 7.13 par. 2 of the WHW, are made public in good time. The Executive Board ensures that the Central Register of Higher Education Study Programmes (CROHO) is informed of any major changes to the Teaching and Examination Regulations.

### Target success rate and duration of study

The university strives to have its students graduate within the applicable period, and regarding the success rate and duration of study it has the following aims:

- For the BSc programme the university aims to increase the overall success rate of intakes from 2006 onwards to 80 per cent, 80 per cent of whom obtain a degree within four years;
- For the MSc programme the university aims at an overall success rate of 90 per cent, 90 per cent of which obtaining a degree within two years.

The Executive Board publicises the success rate figures of the programmes each year in the Annual Report, which can be found on the TU Delft website. Students should make every effort to complete the propedeutic (first-year) examination within one year and having done so to obtain a Bachelor's degree within two years. Exceptional circumstances will be taken into consideration, as described in the Graduation Support Scheme (RAS).

### Propedeuse (first-year) recommendation

First-year students receive study support and guidance to help them decide on potential paths to take within their degree programmes or in a broader sense. They also receive recommendations based on their academic progress in March and August/September an opinion on the study. Students who have earned fewer than 45 credits at the end of their first year will receive a negative binding recommendation on continuation of studies. A student who receives a negative recommendation will at his or her request be actively supervised in seeking a more suitable degree programme either at TU Delft or elsewhere. Students' results and progress are effectively monitored on the basis of an explicit procedure. TU Delft intends to enter into agreements with a number of Universities of Applied Sciences (HBO), partly to improve possibilities for students to transfer from the university to these institutions and vice versa.

### Study plan

It is the aim of the Executive Board that students from their second year of study onwards should draw up a study plan, which is discussed with the Academic Counsellor. On the basis of this study plan the university supports the student in achieving a good rate of progress.

### Mentor system

Each degree programme has a mentor system in order to provide information and supervision for students in the first and subsequent years. It is the intention to introduce a mentor system in which members of the academic staff will be assigned a number of students who remain under their supervision throughout the degree programme.

### Graduation projects

Explicit agreements are made on the minimum and maximum duration of internships and graduation projects, and on supervision and facilities, in the form of a graduation plan. The plan serves three purposes: to prevent such internships and projects from exceeding their scheduled time, to facilitate communication between those involved, and to establish a means of evaluation and quality control. The graduation plan is an agreement of intentions.

### Internationalisation

TU Delft has a major international dimension. This can be strengthened by the use of English language textbooks, for example, the attraction of guest lecturers and the provision of fluency courses to staff and students. The Bachelor's phase will continue to be given principally in Dutch; the Master's phase is in English.

The faculties aim to enable students to gain international experience by means of participation in international exchange programmes and the provision of internships in other countries.

### Academic staff

TU Delft will employ authoritative, pedagogically experienced academic staff, particularly in the propedeutic (first-year) phase to benefit its introductory function. It is the aim of the university that all professors should possess basic teaching qualifications. Newly appointed professors will receive special courses to this end. The university administration stimulates

the establishment of systematic subject-related consultation among academic staff. This consultation takes the form of a formal meeting among professors of a section of a degree programme; its most important objective is to monitor and improve the way subjects are geared to one another. (General educational matters are dealt with in the Board of Studies.)

#### Organisation of education

Each degree program has a director of studies. The director is responsible for the curriculum content and, jointly with the Head of Education & Student Affairs, for administrative organisation. The different responsibilities within the organisation of the curricula as a whole, as well as for the various blocks and individual subjects, are explicitly defined. Faculties make optimal use of the possibilities offered by the system of service teaching. TU Delft has a cooperation agreement with TU Eindhoven and the University of Twente, partly in order to simplify inter-university transfer from Bachelor's to Master's degrees. There are 3TU agreements in place that govern the planning of the academic year. The academic year consists of four periods of ten weeks. The start dates of these periods are set in advance. Each period consists of seven weeks of teaching, two weeks to be designated later and an exam week. In addition, internal arrangements apply to exam retakes in the following period and the 'dead week' (revision week) preceding exams.

#### Visitation and accreditation

It is the responsibility of the university administration to ensure that the quality of education within the university's degree programmes is assessed by independent specialists (visitation) once every six years. For the benefit of this regular assessment, degree programmes that are to be evaluated prepare a so-called self-assessment, which is produced partly on the basis of the students' judgement of the quality of education. This self-assessment should highlight both weak and strong points of the degree programme. The Accreditation Organisation of the Netherlands and Flanders (NVAO) formulates criteria for the self-assessment, based on the framework of the degree programme assessment.

The results of the visitation are public. They are published by the faculty, which indicates in a plan of action for the degree programme concerned what recommendations the visitation committee has made, and what corresponding measures will be or have already been taken. The Executive Board forms an opinion on the plan and discusses it with the central representative body.

#### Strategic Plan

In the Higher Education and Scientific Research Act (WHW) annual report and in the Strategic Plan, TU Delft makes known its intentions concerning the quality of education and research, partly in response to the findings of external and internal evaluations.



# III. Appendices

## 01.

### **Appendix 1**

#### *Policy on fees and enrolment 2012/2013*

##### Obligation of enrolment

- 01 All persons wishing to make use of educational facilities for the benefit of an initial degree programme, or take degree audits in degree programmes as defined by law, are obliged to enrol 'as a student' (full time, part time or work-study) or 'as an external student' (Art. 7.32 of the WHW).

##### Admission to Bachelor's degree programmes and degree audits

- 02 Admission to participate in education in a Bachelor's degree programme at TU Delft can be obtained on the basis of one of the following qualifications:
- a pre-university (VWO) certificate with a subject profile 'Science and Engineering', or 'Science and Health', including 'Mathematics B'; most Bachelor's programmes also require physics;
  - a propedeutic (first-year) certificate from a University of Applied Sciences (HBO);\*
  - a Bachelor's or Master's degree obtained at a University (WO) or University of Applied Sciences (HBO);\*
  - a Master's degree obtained at a Dutch university;\*
- \*) in order to be admitted to a Bachelor's programme, demonstrable knowledge of Mathematics B and possibly physics and chemistry at VWO level will be required; any deficiencies will have to be made good beforehand.

In principle, persons who possess a pre-university (VWO) certificate with the profile 'Economy & Society' or 'Culture and Society' cannot enter Bachelor's degree programmes at TU Delft. They will only be enrolled after having made up for deficiencies in mathematics and physics. See the table below.

Entrance to TU Delft Bachelor's degree programmes can also be gained on the basis of qualifications obtained in a country other than the Netherlands or on the basis of a European or International Baccalaureate. Deficiencies should be made good in advance of enrolment; please refer to [www.bsc.tudelft.nl](http://www.bsc.tudelft.nl). In these cases the person concerned must possess sufficient knowledge of the Dutch language to be able to follow the chosen programme successfully.

Finally, entrance is also possible on the basis of a successfully completed university entrance examination (colloquium doctum).

Below are the additional requirements for each Bachelor's degree programme that apply to the various profiles that were updated in 2007:

*	VWO S&E	VWO S&H	VWO E&S	VWO C&S
Architecture	direct admission	Mathematics B and Physics	Mathematics B and Physics	Mathematics B and Physics
Civil Engineering	direct admission	Mathematics B and Physics	Mathematics B and Physics	Mathematics B and Physics
Electrical Engineering	direct admission	Mathematics B and Physics	Mathematics B and Physics	Mathematics B and Physics
Industrial Design	direct admission	Mathematics B and Physics	Mathematics B and Physics	Mathematics B and Physics
Life Science & Technology	direct admission	Mathematics B and Physics	Mathematics B, Physics and Chemistry	Mathematics B, Physics and Chemistry
Aerospace Engineering	direct admission	Mathematics B and Physics	Mathematics B and Physics	Mathematics B and Physics
Marine Engineering	direct admission	Mathematics B and Physics	Mathematics B and Physics	Mathematics B and Physics
Molecular Science & Technology	direct admission	Mathematics B and Physics	Mathematics B, Physics and Chemistry	Mathematics B, Physics and Chemistry
<b>Nanobiology</b>	Biology	Mathematics B and Physics	Mathematics B, Physics, Chemistry and Biology	Mathematics B, Physics, Chemistry and Biology
Applied Earth Sciences	direct admission	Mathematics B and Physics	Mathematics B and Physics	Mathematics B and Physics
Systems Engineering, Policy Analysis & Management	direct admission	Mathematics B and Physics	Mathematics B and Physics	Mathematics B and Physics
Computer Science	direct admission	Mathematics B	Mathematics B	Mathematics B
Applied Physics	direct admission	Mathematics B and Physics	Mathematics B and Physics	Mathematics B and Physics
Applied Mathematics	direct admission	Mathematics B	Mathematics B	Mathematics B
Mechanical Engineering	direct admission	Mathematics B and Physics	Mathematics B and Physics	Mathematics B and Physics

- \*) VWO = pre-university education  
 S&E = Science & Engineering profile  
 S&H = Science & Health profile  
 E&S = Economics & Society profile  
 C&S = Culture & Society profile

Only candidates who possess one of the qualifications mentioned above with mathematics and physics among their chosen subjects may enter the degree audits of the Bachelor's degree programmes of TU Delft.

VWO students with an 'S&E' or 'S&H' profile from before 2007 will be admitted directly; for Nanobiology, 'S&E' students must also have completed Biology, while those with an old 'E&S' or 'C&M' must already meet the above requirements regarding mathematics, physics, chemistry, and biology, either as an elective subject or via a refresher course.

In all non-standard cases, the admissions committee of the Bachelor's degree programme in which a person wishes to enrol will assess whether their qualifications reflect an adequate level of mathematics and physics.

#### Admission on the basis of 'old style' pre-university (VWO) certificates

The academic year 2004/2005 was the last in which 'old style' VWO certificates (without an indication of profile) entitled students to enter into Higher Education without fulfilling additional requirements stipulated in the subject choice regulations for that certificate. Art. 7.28 of the WHW (admission on the grounds of other certificates) applies to students who possess such a certificate. On the grounds of Art. 7.28 par. 2 sentence 2 of the WHW, the Executive Board of TU Delft may grant exemption from the prior education requirement that a student must possess a VWO profile certificate, as stated in Art. 7.24 par 1 of the WHW. The Executive Board has decided to grant admission to the degree programmes and degree audits of TU Delft to students who possess an 'old style' VWO certificate with Mathematics B and Physics among their chosen subjects. Students applying for admission to LST and MST must also have had Chemistry among their chosen subjects, while Biology is required for Nanobiology. If these subjects do not appear on the certificate, the person concerned

must first make up for the deficiencies before they may be enrolled.

Admission based on a propedeutic (first-year) certificate from a University of Applied Sciences (HBO)

HBO students with a propedeutic diploma may be admitted under the following conditions:

- students with a VWO qualification are subject to the provisions of the above table
- students with a prior HAVO ('higher general secondary education')/MBO (intermediate vocational education) qualification must make good any deficiencies in respect of the VWO level mathematics B, physics and chemistry before enrolling.

### Numerus Clausus

In 2012, a numerus clausus applies for the Bachelor's degree programmes in Architecture (maximum intake of 450 students), Industrial Design Engineering (maximum intake of 330 students), and Aerospace Engineering (maximum intake of 440 students). Some of the students will be admitted on the grounds of selection at the faculty level.

### Admission to the Master's degree programme and degree audits

01 Students who have successfully completed a Bachelor's degree programme at TU Delft and wish to follow a Master's programme at TU Delft within the same discipline are automatically entitled to enter this Master's programme, on the basis of the Teaching and Examination Regulations (OER) of their Bachelor's programme. Having successfully completed the final component of their Bachelor's programme they may enrol for the Master's programme that follows directly on from it, unless they have indicated otherwise.

As of 1 September 2010 the 'Bachelor's before Master's rule' came into force, which means that a Bachelor's degree is required before a Master's degree programme can be started. Until then the following transitional regulations apply:

### Admission requirements for Master's degree programmes

(Art. 7.13 par. 3 of the WHW)/ Master's degree programme following on from a Bachelor's programme.

To enrol for a Master's degree programme, the applicant must be in possession of a Bachelor's certificate that leads directly on to the Master's programme in question.

#### **Exceptions:**

aStudents who were enrolled as pre-Master's students on 31 August 2012 will be enrolled as Bachelor's students on 1 September 2012, and will be given the opportunity to take Master's modules until 1 September 2013. To do so, they must also enrol for the Master's programme. The 'Bachelor's before Master's rule' hardship clause is otherwise reserved solely for any student who is entitled to take Master's modules for a maximum of one year due to exceptional and unforeseeable circumstances.

From 1 September 2013, any student wishing to start a Master's programme must have successfully completed the Bachelor's programme and/or bridging programme for which participation in the Master's programme is required.

Furthermore, for each Master's programme the Dean (or the admissions committee on behalf of the Dean) will determine what deficiencies a candidate for the Master's programme has, and the board of examiners will determine whether any exemptions are to be granted.

The **general** selection criteria for the Master's degree programmes at TU Delft for students who have not obtained a Bachelor's degree within the same discipline at the university, which also serve as a frame of reference for the boards of examiners, are as follows:

Students with non-Dutch qualifications	HBO students selected on the grounds of:	Students with Dutch university education (WO)	TU Delft students
<ul style="list-style-type: none"> <li>- Relevant Bachelor's degree of sufficient quality and adequate level</li> <li>- A Cumulative Grade Point Average on the Bachelor's certificate a minimum of 75% of the maximum number of obtainable points.</li> <li>- For students who are not native speakers of English:</li> <li>- TOEFL score of at least 90 (exclusively internet based tests are accepted) or</li> <li>- IELTS test score of at least 6.5 or</li> <li>- either the 'Certificate of Proficiency in English' or the 'Certificate in Advanced English' from the University of Cambridge must have been obtained.</li> <li>- Essay (2000 - 3000 words) in English, explaining the student's interest and motivation, and summarising the Bachelor's degree programme he or she has completed.</li> <li>- Two letters of recommendation in English, French, German or Dutch: one from an employee of the faculty where you obtained your Bachelor's degree, and one from your employer or other person in a position of authority such as your thesis supervisor.</li> <li>- A detailed curriculum vitae in English</li> <li>- Proof of identity.</li> </ul>	<ul style="list-style-type: none"> <li>- A relevant HBO certificate from a Dutch University of Applied Sciences</li> <li>- They will be admitted if they have completed a bridging programme. The following applies in respect of the bridging programme:               <ul style="list-style-type: none"> <li>a. during the HBO programme in a bridging minor subject: mathematics and English tests (VWO students do not have to sit an English test, depending on their VWO profile, or a mathematics test)</li> <li>b. with a completed HBO course: mathematics and English tests.</li> </ul> </li> </ul> <p>Students must successfully complete the mathematics and English tests before starting the bridging programme. The mathematics tests are organised by the Open Universiteit under the title Wiskunde T, while the English tests can be taken via TOEFL, IELTS or Cambridge.</p> <ul style="list-style-type: none"> <li>- TOEFL; minimum score of 90 (only the internet based test is accepted), or</li> <li>- IELTS; minimum score of 6.5, or</li> <li>- The "Certificate of Proficiency in English" or the "Certificate in Advanced English" of the University of Cambridge has been obtained.</li> </ul> <p>HBO students who wish to do a continuation minor in their HBO programme will generally require the permission of their college to do so.</p> <p>The dean may set further admission requirements.</p>	<p>Relevant Bachelor's degree from a Dutch university</p>	<p>Relevant Bachelor's degree from TU Delft</p>

The faculty will assess candidates with due regard for the above criteria.

#### Admissions within the scope of 3TU

Delft University of Technology, Eindhoven University of Technology and the University of Twente have coordinated their degree programmes. For each BSc programme there is at least one MSc programme that follows on from it directly, and for each MSc programme there is at least one BSc programme which offers a transition with no delay in the progress of study. If a student has a BSc from another degree programme at TU Delft, TU Eindhoven or the University of Twente, the Dean of the faculty to which the programme belongs decides whether direct admission is possible.

All admission possibilities can be found at [www.doorstroommatrix.nl](http://www.doorstroommatrix.nl).

#### Admission to 3TU degree programmes

In the 2012/2013 academic year, the following MSc programmes will be organised within the scope of 3TU:

- Construction Management and Engineering
- Embedded Systems
- Science Education & Communication
- Sustainable Energy Technology
- Systems & Control

#### Entrance to Master's degree programmes by students with a certificate from a University of Applied Sciences (HBO)

In general, students with a certificate from a university of Applied Sciences (HBO) cannot enter Master's degree programmes unconditionally. The admission procedure for this

category is as follows: the Board of Examiners of the programme will assess the suitability of a candidate, following which the Dean will take a decision and inform the Central Student Administration. On the basis of this assessment the board of examiners will advise the Dean on the bridging programme to be taken. In order to be admitted to the bridging programme that has been suggested, students must pass tests in mathematics and English by 1 September. Students who have successfully completed VWO S&E pre-university qualifications before taking their HBO degree programme are exempt from the tests in mathematics and English. Any student who has successfully completed one of the other VWO profiles with mathematics B as an option is similarly exempted.

Students wishing to enrol for a particular bridging programme should do this via Studielink. Bridging students are enrolled in the Bachelor's degree programme.

If the bridging programme has been completed successfully, entrance to the chosen Master's degree programme is granted. At a number of Universities of Applied Sciences, certain selected students may take a transfer minor as part of their HBO degree programme. Any remaining deficiencies must in certain cases be remedied in advance, but in other cases this may be done via the optional part of the Master's degree programme.

### Fees for Bachelor's and Master's degree programmes in the 2012/2013 academic year

04 The annual tuition fees for the 2012/2013 academic year are as follows:

- statutory tuition fee for full-time students:	€ 1,771
- additional statutory tuition fee for full-time students	€ 4,834
- institutional tuition fee I for full-time students:	€ 1,771
- institutional tuition fee II for full-time students:	€ 2,401
- institutional tuition fee III for BSc full-time students:	€ 8,096
- transitional rate III for full-time BSc students:	€ 5,625
- institutional tuition fee III for MSc full-time students:	€ 12,650
- transitional rate III for full-time MSc students:	€ 9,340
- tuition fee for part-time students:	€ 1,483
- tuition fee for part-time students, statutory addition	€ 4,546
- examination fee for external EER students:	€ 6,000
- external students non-EU/EFTA, intake up to 2007:	€ 6,000
- external students non-EU/EFTA, intake 2008-2010, BSc:	€ 6,000
- external students non-EU/EFTA, intake 2008-2010, MSc:	€ 9,340
- external students non-EU/EFTA, intake 2011, BSc:	€ 8,096
- external students non-EU/EFTA, intake 2011, MSc	€ 12,650

Students who do not meet the address requirement i.e. whose residential address is not promptly and correctly registered in the Municipal Personal Records Database (GBA), will be required to pay the higher Institutional rate III for Bachelor's and Master's degree programmes, shown above.

The fees due must be paid in full in advance. A standing order granted in advance, authorising TU Delft to collect the payment from a bank account, either in one payment or in instalments, is also acceptable.

### Statutory tuition fee and institutional tuition fee I (Article 7.45 of the WHW)

This rate applies to the following categories of student:

- 1) who hold the Dutch nationality, or nationality of any other EU /EFTA country \*)\*\*), or the Surinamese nationality and
  - who according to the Central Register for Higher Education, as defined in Article 7.52, have not previously obtained a Bachelor's degree<sup>3</sup> (in the case of those wishing to enrol for a Bachelor's degree) or a Master's degree (in the case of those wishing to enrol for a Master's degree ) and,
  - who live in the Netherlands, Belgium, Luxembourg or the German Länder of North Rhine-Westphalia, Lower Saxony or Bremen. A residential address in the Netherlands must be registered in the GBA. If the residential address is in one of the neighbouring countries a certificate of residence must be submitted to the CSA.
- 2) students taking a teacher-training programme pay the statutory tuition fee.  
The statutory tuition fee also applies in the following situations:

#### a) Special provisions

A number of students from non-EU/EFTA countries are also entitled to a student grant.

This concerns students whose parents have worked and paid taxes for a long time in the Netherlands, for example, or who are married to or have a registered partnership with a partner from the EU, and students who possess a residence

<sup>3</sup> In the Higher Education Funding Agreement (Bekostigingsakkoord Hoger Onderwijs) of October 2007 the Netherlands Association of Universities of Professional Education (HBO-Raad), ISO, LSVb and VSNU agreed that students wanting to start a second, parallel programme may complete this second programme at the statutory tuition fee. Consequently, in the 2012/2013 academic year TU Delft will not charge deviating rates for a second programme or second degree. This will also apply for second programmes started following completion of the first.

permit on humanitarian grounds, as in the case of family reunification. Students in this category are treated as Dutch citizens for the purpose of obtaining a student grant. They should send a copy of the DUO report showing that they are entitled to a student grant to the CSA.

- \* ) EU countries are: Austria, Belgium, Bulgaria, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Ireland, Italy, Latvia, Lithuania, Luxembourg, Malta, Netherlands, Poland, Portugal, Romania, Slovakia, Slovenia, Spain, Sweden and the United Kingdom.  
EFTA countries are: Iceland, Liechtenstein, Norway and Switzerland.
- \*\* ) Students from other EU/EFTA countries who are not entitled to a Dutch student grant may receive a monthly payment from DUO for their tuition fees equal to the level of student grant available to students living with their parents.

#### **b) UAF refugee students**

Refugee students who receive a student grant following an intercession by the Foundation for Refugee Students (UAF) (including those who receive an allowance under the terms of the SUS regulations) are treated as if they were Dutch nationals. Students in this category should enclose a written declaration from the UAF stating that they receive a UAF student grant when enrolling. Certain categories of refugee student with a residence permit (admission on humanitarian grounds) pay institutional tuition fee I, for any time they are not entitled to a student grant and who have not received a study allowance from the UAF either. More information is available from the International Office. All students in this category must enclose an officially endorsed copy of their Immigration and Naturalisation Service (IND) identity card that shows their status.

#### **Institutional tuition fee II**

This fee applies to:

Students from non-EU/EFTA countries who started a Bachelor's degree programme at TU Delft before or on 1 September 2007 and who have been enrolled continuously ever since. The students are required to pay the institutional tuition fee II in both the Bachelor's and the Master's phase.

#### **Institutional tuition fee III**

This fee applies to:

Students from non-EU/EFTA countries who started their studies in September 2007 or later.

Transitional measure applicable until 31-08-2017

TU Delft has determined that the implementation of the MSc International Programme in the Bachelor-Master system as of 1 September 2002 should allow for previously enrolled students from non-European countries entering a Master's degree programme leading on from a regular Bachelor's degree programme in the Dutch language. All students who were enrolled on 1 September 2002 may a Master's degree programme leading on from the Bachelor's degree programme subject to the applicable Institutional rate II (for 2012/2013, €2,401) provided they have been enrolled continuously from September 2007.

Non-EU/EFTA students who entered between 2008 and 2010 and have been enrolled continuously are required to pay €5,625 in the 2012/2013 academic year for a Bachelor's degree programme and €9,340 for a Master's degree programme. Students who in 2010 were first required to complete a bridging programme are also required to pay the transitional rate. The transitional rate will cease to apply if the student switches to a different degree programme.

#### **Special provision: free movers**

Free movers are foreign students who come to study one or more specific subjects at TU Delft for a period of less than one year, without sitting an exam (propedeutic, Bachelor's or Master's). Unlike exchange students, free movers are not exempted from paying tuition fees. For the purpose of determining the amount payable, tuition fees for free movers are equalised with those of foreign students who have enrolled in a Bachelor's programme.

#### **Enrolment during the course of the academic year**

05 Enrolment is in principle only possible for an entire academic year, i.e. as of 1 September. Enrolment at a later time is only possible on 1 February following approval of a well-founded request addressed to the Central Student Administration and with the consent of the faculty concerned.

Internal transfer from a Bachelor's to a Master's degree programme is possible at any time of the academic year. Master's degree programmes may also allow students from outside TU Delft to transfer at the beginning of the second semester.

#### **Enrolment procedure**

06 The procedure for enrolment should be completed before the desired starting date of enrolment, i.e. before 1 September or 1 February as appropriate. Only in exceptional cases will enrolment take effect from the first day of any other month if, in the course of the month in

which enrolment is to start, the student fulfils all his or her obligations.

#### Fee in the case of enrolment during the course of the academic year

07 If enrolment is allowed during the course of the academic year, it is valid for the remaining part of the academic year. Where this occurs, for a full-time student who is entitled to pay the statutory tuition fee rate, the fee will be reduced by 1/12 for each month later that the student enrolls (Art. 7.48 par. 2 of the WHW). Also for a full-time student to whom the institutional rate applies, for part-time students and for external students, where enrolment takes place during the course of the academic year, the tuition or examination fee will be reduced by 1/12 for each month later that the student enrolls.

#### Cancellation of enrolment

08 Students may terminate their enrolment by submitting a request in Studielink; enrolment will then be terminated on the first of the subsequent month (Art. 7.42 par. 1 of the WHW). The tuition fee for the remaining months of the academic year will be refunded. If the student so requests, he or she will receive a 'Statement of payment of tuition fees' from TU Delft on the basis of which – on payment of any additional tuition fee required – he or she may enrol elsewhere.

Examination fees are non-refundable.

#### Methods of payment

09 Payment may be made by standing order, with the option to authorise a single payment or payment in a maximum of twelve instalments, or by a single bank transfer to the university of the tuition or examination fee owing.

Also in the event of enrolment during the course of the academic year, the tuition fee may be paid in instalments.

To pay in instalments a charge of €24 is payable, also if enrolment only comes into effect after 1 September 2012. This transaction charge is debited at the same time as the first instalment.

Students who have opted to pay in instalments but who then choose to pay the remaining fee in a single payment after the first instalment has been debited are still required to pay the transaction charge.

Regulations applicable in the event of failure of standing order for payment of tuition fees.

- If a standing order payment cannot be collected in any particular month, the student in question will be sent a reminder to ensure there is enough credit on his or her bank account for the standing order to be debited in the following month. The next payment will be for both the month that has been missed and the current month.
- Should it not prove possible to debit the payment in the second month, the student will be sent a serious warning. The next payment will then cover the first and second missed months, and the third (current) month.
- If no payment can be debited in the third month, or if the situation is repeated later in the academic year, this will have major consequences. The student will be given five days to pay the outstanding amount owing, plus administration charges and interest, and will not be able to access the university network.
- Failure to comply with this will result in the termination of the student's enrolment at TU Delft.

This will not exempt the student from the outstanding amount owing; the services of a debt-collection agency will be engaged for this purpose, the costs of which will be claimed from the student. If the student re-enrolls during the same academic year or in the subsequent academic year, he or she must pay the tuition fees by means of a bank transfer or PIN transaction. He or she will not be allowed to arrange payment by direct debit, either in instalments or in one payment.

Students from whom it was necessary to collect any part of the examination or tuition fee for the last year of enrolment previous to the 2012/2013 academic year via a debt-collection agency are not permitted to pay in instalments in 2012/2013.

#### Level of tuition fee for a second enrolment at the same time as enrolment for the first programme

10 If full-time students who are entitled to pay the statutory tuition fee enrol for a second degree programme, they will be required to make an additional payment if the rate for the second programme exceeds the rate for the first (art. 7.48 par. 1 of the WHW). This also applies to students who in the 2012/2013 academic year have paid tuition fees for participation in publicly-funded education that are payable on the basis of the Tuition Fee Act.

In the 2012/2013 academic year, TU Delft will not impose different rates for students taking second degree.

For enrolment in a second degree programme full-time students to whom the statutory tuition fee rate does not apply, part-time students and external students must make additional payment if – on a monthly basis – the rate for the second programme exceeds the rate for the first.

In all cases in which a student's first enrolment is with a different institution of higher education and their second enrolment is with TU Delft, the total amount payable to TU Delft in tuition and/or examination fees is the sum of the amounts payable by the student for all the months of his or her enrolment. Each month, the amount payable is calculated on the basis of the 'most expensive' enrolment. The amount the student has already paid in tuition and/or examination fees elsewhere in higher education will then be deducted from the calculated amount each month.

In all cases in which a student has first enrolled in higher education elsewhere and has registered for a second enrolment with TU Delft, the student, in addition to a request to be enrolled via Studielink, must also submit an original statement of the amount paid in examination or tuition fees, and the corresponding period of enrolment.

If the student wishes to terminate the first degree programme or he or she has already done so, then this statement must specify the amount paid in tuition and/or examination fees after a refund has been made. The student will then be enrolled for the second degree programme as of the first of the month in which he or she has paid any necessary additional examination or tuition fee and has also fulfilled the other requirements for enrolment. This is equally the case for full-time students to whom an institutional tuition fee rate applies.

### Enrolment of guest students

- 11 'Guest students' are persons who are enrolled for a degree programme 'as a student' elsewhere in higher education and who, with the permission of the Board of Examiners concerned, include in their degree programme one or more subjects that are not available at their own institution. During the period that they are enrolled elsewhere in higher education, guest students to whom the statutory fee does not apply or no longer applies may enrol at TU Delft 'as a student' or 'as an external student' without making any additional payment, on condition that they submit a certified declaration to the Board of Examiners concerned specifying the subjects that are not available at the student's own institution.

### Wrongful use of educational and/or examination facilities

- 12 On the grounds of wrongful use of educational or examination facilities, a person making use of such facilities without being enrolled is liable to pay in compensation the amount he or she should have paid in tuition fees during this period, plus the sum of €100. The number of months for which this compensation is payable is equal to the period beginning from the first month in which wrongful use of educational and/or examination facilities is recorded by TU Delft until the month in which the person concerned is enrolled correctly, or – if this is earlier – until the end of the academic year concerned. For practical exercises, projects and other educational components without participation for which no final grade for a degree audit component can be obtained, the period for which compensation is payable is calculated commencing from the most recent month liable for compensation in which participation in that component must commence if a final grade is to be obtained on the registered date.

In such cases, retroactive enrolment is not possible. Results of examinations and other degree audit components taken in the period during which the student was not enrolled remain valid. The results will only be published and the relevant certificate (first-year diploma, BSc or D/Msc) issued only after the compensation has been paid.

### Charges for duplicate proofs of enrolment and CampusCards

- 13 Duplicate proofs of enrolment and CampusCards cost €2.00 and €3.00 respectively, unless the need for a duplicate to be made is the responsibility of TU Delft.

### Termination of enrolment and refunding of tuition fees

- 14 The statutory rules concerning unenrolment and refunds for those enrolled 'as a student' for a full-time degree programme apply equally to those enrolled 'as a student' who are required to pay an institutional tuition fee rate for a full-time enrolment and to those enrolled 'as a part-time student'. The student in question and the DUO are always informed of any unenrolment.

Unenrolment and the refunding of tuition fees is possible in the following cases:

**a. By request**

At the written request of the student, enrolment will be terminated as of the month following the one in which the request is made. Such a request can be made when a student has graduated, for example.

**b. Failure to pay tuition fees after receipt of a reminder**

Any student who fails to pay his or her tuition or examination fees may have their enrol-



ment terminated with effect from the second month following the month in which the demand for payment was made.

**c. Binding recommendation on continuation of studies**

The enrolment of any student who is given a negative binding study recommendation will be terminated with effect from the month following the month in which such a recommendation is given. This is set out in greater detail in the Implementation of the Binding Recommendation on Continuation of Studies at TU Delft (see website).

**d. Serious fraud**

The Board of Examiners may propose the termination of the enrolment of any student committing serious fraud, to take effect from the month following the month in which the fraud is established. The procedure taken by the Board of Examiners is set down in more detail for each faculty in the Board of Examiners Rules and Guidelines.

**e. Serious anti-social behaviour**

The enrolment of any student who repeatedly commits acts of anti-social behaviour may be terminated with effect from the month following the month in which such acts are established. This is set out in greater detail in the TU Delft Regulations for the use of Buildings, Grounds and Facilities by Students and Visitors.

**f. Death**

The enrolment of any student who dies is terminated with effect from the first day of the month following the month in which death occurs.

### Refund of tuition fees

Tuition fees are automatically refunded in the case of the death of a student; students should submit requests for refunds in writing in all other cases.

A refund will be made of the amount the student would have paid for the remaining months from the time of termination of enrolment, if enrolment had not been terminated.

July and August count as months for which tuition fees are payable, and are therefore included in any refund calculation.

Examination fees are non-refundable.

### Procedural rules for unenrolment and refunds

15 The following conditions and rules of a procedural nature are applicable to unenrolment and the payment of refunds:

- a. In the case of a proof of payment of tuition fees document, TU Delft will ask the university or college concerned about the amended enrolment and the tuition fees that have been paid.
- b. For Master's students from non-EU countries, where enrolment is terminated on grounds other than graduation, a declaration from the International Office must be submitted.
- c. The refund will be made as soon as possible after the request has been submitted and assessed.

### Hardship clause

16 The Executive Board is authorised, if the application of articles 1 to 12 of the policy on refunds and enrolment would lead to unfair situations of a compelling nature, to deviate from said articles, but only if and to the extent that this is permitted by mandatory regulations.

**THE EXECUTIVE BOARD OF DELFT UNIVERSITY OF TECHNOLOGY**

Whereas it is necessary to establish further rules relating to the granting of financial support to students at TU Delft;

Whereas in the regulations governing financial support to students, account should be taken of the Bachelor's-Master's structure that was introduced at TU Delft on 1 September 2002 and that the other amendments are deemed necessary;

Whereas it is deemed necessary to establish new regulations for granting financial support to students;

Taking account of Article 7.51 of the Higher Education and Scientific Research Act;

With the consent of the Central Student Council (meeting of 13 October 2005 and letter dated 24 October 2005, reference SB/SR/05/09)<sup>4</sup>;

HAS DECIDED

To set down the following regulations:

**Article 1 Definitions**
**1.1 WHW**

the Higher Education and Scientific Research Act (Bulletin of Acts and Decrees 1992, 593);

**1.2 WSF 2000**

the Student Grant Act 2000 (Bulletin of Acts and Decrees 2000, 286);

**1.4 Executive Board**

the university administration of TU Delft;

**1.5 Student**

a person enrolled at TU Delft for a full-time degree programme offered by the university, and who therefore makes use of educational facilities, examination facilities or other facilities for the benefit of an initial degree programme.

**1.6 Bachelor's degree programme**

a degree programme as referred to in Art. 7.3a, first paragraph, letter a of the WHW, as offered by TU Delft;

**1.7 Master's degree programme**

a degree programme as referred to in Art. 7.3a, first paragraph, letter b of the WHW, as offered by TU Delft;

**1.8 Financial assistance**

Financial assistance as referred to in Art. 7.51 of the WHW;

**1.9 Guarantee month**

the entitlement to financial assistance expressed in months resulting from the performance of an administrative activity;

**1.10 Performance-related grant**

the facility referred to in Section 5 of the WSF 2000;

**1.11 Credit**

A credit as referred to in Art. 7.4 of the WHW;

**1.12 Circumstances beyond control**

Exceptional circumstances as referred to in Art. 7.51, second paragraph, letters c to f of the WHW;

**1.13 Guarantee Month List**

the list of guarantee months attached to the Appendix on the assessment procedure for the allocation of guarantee months for administrative activities;

**1.14 Administrative activities**

Exceptional circumstances as referred to in Art. 7.51, second paragraph, letters a and b of the WHW, as mentioned in the guarantee month list as indicated in the application;

**1.15 Full-time administrative activity**

an administrative activity of at least 10 months' duration as indicated in the application.

**1.16 Nominal duration of study**

The duration of the Bachelor's programme (36 months), or the duration of the Master's programme (24 months).

<sup>4</sup> The RAS was amended on 11 June 2008 with the consent of the Central Student Council (CSR). This proposed amendment has been incorporated in the text of the regulations. The amendments concern, *inter alia*, the introduction of a projects box with the Guarantee Month List and the legal quality of the regulations. For details of these amendments, see the text shown in italics in the explanatory notes to the regulations. On 18 August 2009, the RAS was again amended – with the consent of the CSR – for the benefit of international students. On 10 August 2010, the RAS was (also) adapted to the amended WHW, which entered into force on 1 September 2010 (Bulletin of Acts and Decrees 2010/119). On 19 June 2012, the RAS was amended as a result of the entering into force of the Increased Tuition Fees for Long-Term Students Act (Act of 21 July 2011, Bulletin of Acts and Decrees 2011/368).

### 1.17 International student

A student who:

- a) is enrolled for a programme for which he is not awarded a degree
- b) does not meet the nationality requirements as defined in Article 2.2 of the WSF 2000 and who does not possess Surinamese nationality, and
- c) who lives in the Netherlands, Belgium, Luxembourg or any of the German Länder of North-Rhine Westphalia, Lower Saxony or Bremen.

## Article 2

### Scope

Contained in these regulations are the conditions on which the Executive Board will grant financial assistance to a student in relation to whom exceptional circumstances as referred to in Art. 7.51, second paragraph of the WHW have occurred, which have led to or are expected to lead to a delay in student progress.

## Article 3

### General conditions for the acknowledgement of delay

3.1 Conditions for the acknowledgement of delay resulting from exceptional circumstances are:

- a) at the time of application for acknowledgement the applicant is enrolled as a student at TU Delft with the aim of meeting the requirements of the final degree audit in a Bachelor's or Master's degree programme and is liable for payment of statutory tuition fees;
- b) the applicant is unable to take part in the programme, either wholly or in part, due to the exceptional circumstances;
- c) the exceptional circumstances occur or have occurred in the period during which the student is or was entitled to a performance-related student grant for the programme in question, or in the case of an international student, during the nominal study period;
- d) the exceptional circumstances have led to a delay in student progress or are expected to do so;
- e) the exceptional circumstances have not resulted in an allocation based on the provisions of the WSF 2000 and are not expected to do so led to a delay in the student's studies.

3.2 For enrolment 'as a second degree programme' no financial assistance shall be provided if the student is currently or has previously been in receipt of financial assistance at the university, or university of professional education, of first enrolment.

## Article 4

### Further conditions for acknowledgement of delay resulting from circumstances beyond control

4.1 The student should report circumstances beyond his or her control to the Academic Counsellor as soon as possible after they have arisen or if they are likely to arise. The student must then make agreements with the Academic Counsellor on student progress and on the submission of an application on the basis of these regulations. If it is foreseeable that the exceptional circumstances will be protracted, in consultation with the Academic Counsellor attention will be paid to the possibility of terminating enrolment.

4.2 In case of termination of an earlier enrolment, financial assistance already approved in relation to circumstances beyond control at another university, or university of professional education, shall be taken over by TU Delft.

## Article 5

### Further conditions for acknowledgement of delay resulting from administrative activity

5.1 Where a student performs an administrative activity other than membership of the Central Student Council, Faculty Student Council or Board of Studies, at the time of commencing the activity he or she must have met the requirements of the propedeutic (first-year) audit of a degree programme at TU Delft or have obtained a minimum of 71 credits in that programme. For a full-time activity the student must also have fulfilled the requirement that in the in the previous academic years he or she has achieved progress of at least 70%.

5.2 The student must report the acceptance of an administrative activity lasting for a period of six months or more to the Academic Counsellor before commencing the activity. The student must then make agreements with the Academic Counsellor on student progress and on the submission of an application on the basis of these regulations.

5.3 The administrative activity for which the application for acknowledgement of delay is made must be recognised by the Executive Board, with due regard for the provisions of the Appendix on the assessment procedure for the allocation of guarantee months for administrative activities, and as such included on the guarantee month list.

5.4 The student shall receive a maximum of 12 guarantee months, on the understanding that where a full-time administrative activity is performed, a maximum of 18 guarantee months is applicable.

## Article 6

### Application for acknowledgement of delay

6.1 An application for the acknowledgement of delay resulting from exceptional circumstances must be submitted as soon as possible after the circumstances responsible for causing the

delay have arisen.

- 6.2 An application for the acknowledgment of delay resulting from circumstances beyond control must be accompanied by a declaration from the Academic Counsellor stating that he or she has discussed with the student the course of study, the possibility of termination of enrolment in the case of protracted circumstances beyond control, and the extent of the delay in progress in respect of the educational programme. The declaration must also include a recommendation on the acceptance of the application for acknowledgement. In the case of medical or psychological circumstances, the application must be accompanied by a certificate by the university doctor or psychologist as appropriate.
- 6.3 The application for the acknowledgement of delay resulting from a full-time administrative activity must be accompanied by a declaration by the Academic Counsellor stating that the requirement mentioned in Art. 5.1 has been fulfilled.
- 6.4 The Executive Board may stipulate that the application for acknowledgement must be made using the designated form.

## Article 7

### Central Committee for Financial Assistance

- 7.1 It is the responsibility of the Central Committee for Financial Assistance (CCFO) to advise the Executive Board on applications as referred to in these regulations and the associated policy, with the exception of advice on objections against decisions relating to an application.
- 7.2 The CCFO shall consist of a chairperson and two members, who are specialists in the field of education concerned, to be appointed by the Executive Board, of whom at least one is a full professor at TU Delft. The Executive Board may also appoint two deputy members.
- 7.3 The CCFO shall have access to the information on student progress.
- 7.4 The CCFO may call upon expertise within TU Delft.
- 7.5 The CCFO shall have a secretarial office.

## Article 8

### Application for payment

- 8.1 An application for payment of financial assistance must be received by the Executive Board before the end of the period in which the student is or has been entitled to a performance-related grant, or if the application is by an international students, before the end of the nominal study period. If an application is received after this period has expired, the number of months that have elapsed will be deducted from the total number of months of financial assistance that have been approved, to be calculated from the first day after the expiry of this period.
- 8.2 The application for payment, if a student is entitled to a performance-related grant, must be accompanied by the most recently received correspondence from the DUO containing the decision to award a student grant.

## Article 9

### Processing and decision-making

- 9.1 The Executive Board shall reach a decision on an application as soon as possible after having received a recommendation from the CCFO, and within a maximum period of eight weeks after having received the application.
- 9.2 The extent of the financial assistance to be paid shall be equal to that of the performance-related grant as defined in Section 5 of the WSF 2000, although in the case of students carrying out administrative activities this is ninety per cent of that amount.
- 9.3 If the additional statutory tuition fee as defined in Article 7.45b of the WHW has been levied and the reason for the student falling behind in his or her studies is the result of exceptional circumstances as defined in Article 7.51, second paragraph (subsections c, d, and e) of the WHW, the financial support will be increased by the difference between the statutory tuition fee plus the additional amount and the statutory tuition fee as defined in Article 7.45 of the WHW.

## Article 10

### Payment of financial assistance

- 10.1 Payment of financial assistance shall be made after the period of the performance related grant has expired, or in the case of an international student at the end of the nominal study period, on the understanding that after the performance of an administrative task, payment may be made at the student's request during the period of the performance-related grant or nominal study period, as the case may be.
- 10.2 Payment of financial assistance resulting from circumstances beyond control during the Bachelor's degree programme may at the student's request be made after he or she has been in receipt of a performance-related grant for a period of three years, or in the case of an international student, after the end of the nominal study period.
- 10.3 Payment of financial support as defined in Article 9.3 of these regulations will not be made before the end of the period of nominal study duration of the programme in question and, if the student has been given an extension of the duration of the performance-related grant, after the year as defined in Article 5.6, tenth paragraph, of the Student Finance Act 2000, with financial support being limited to twelve months, on the understanding that the Executive Board, after receiving advice from the academic counsellor, may decide to extend

this period. In giving his advice, the student counsellor should take consideration of the circumstances mentioned in the first sentence of Article 6.2 of these regulations.

10.4 At the time of payment the student must be enrolled in a degree programme at TU Delft.

10.5 Payment of financial assistance shall be made in monthly instalments.

#### Article 11

##### Hardship clause

If in an individual case the implementation of these regulations would lead to serious inequity, the Executive Board may depart from the regulations in the student's favour.

#### Article 12

##### Interim provisions

The ninety per cent limit referred to in Article 9.2 does not apply to individual applications for acknowledgement of guarantee months that were submitted before 1 September 2010.

#### Article 13

##### Revocation of the RFOS

The Regulations for Financial Assistance to Students (RFOS) 2004-2005 shall be revoked, with the exception of the Appendix concerning the assessment procedure for the granting of guarantee months for administrative activities and the Guarantee Month List.

#### Article 14

##### Commencement

These regulations shall come into force as of the first day after the date of the Delta Magazine in which they are announced.

#### Article 15

##### Citation

These regulations should be cited as the 'Graduation Support Scheme of Delft University of Technology'.

## EXPLANATORY NOTES

### General

#### Introduction

Article 7.51 of the WHW stipulates that the administrative body of a university, or university of professional education, must make provision for financial assistance (Graduation Support) to students who experience or are in danger of experiencing a delay in their progress as a result of exceptional circumstances. The fifth paragraph of this article stipulates that the administrative body must draw up rules concerning the conditions referred to in that paragraph.

In accordance with Art. 7.51 of the WHW, in sum, financial assistance is provided in case of the following exceptional circumstances:

- a) illness or pregnancy;
- b) physical, sensory or other functional disorders;
- c) exceptional family circumstances;
- d) an insufficiently 'studiable' degree programme;
- e) the loss of accreditation of the degree programme in which the student is enrolled;
- f) the fulfilment of an administrative post;
- g) circumstances other than those mentioned above, if rejection by the administrative body of a request for financial support would lead to serious inequity.

According to generally held opinion, the circumstances mentioned under a to e cannot be ascribed to the student and may therefore be regarded as circumstances beyond the student's control. The exceptional circumstances mentioned under f are the result of an individual decision to perform an administrative activity. All remaining circumstances fall within the category described in g.

TU Delft has implemented Art. 7.51 of the WHW by drawing up the Regulations for Financial Assistance to Students (RFOS), in combination with the Appendix on the assessment procedure for the allocation of guarantee months for administrative activities. The RFOS is included in the Student Charter (Art. 7.59 of the WHW) and contains regulations for the granting of Graduation Support to students who as a consequence of exceptional circumstances during the period of the combined student grant have experienced a delay in their progress, or are in danger of doing so. The appendix referred to above regulates the procedure to be followed in the distribution of the available Graduation Support for administrative activities among the eligible organisations. The guarantee month list details how the

assistance is actually distributed.

The RFOS has a long history at TU Delft and has been amended many times over the years. This has not improved its clarity or readability. Apart from this, the introduction of the Bachelor's-Master's system at TU Delft as of 1 September 2002 has still not been incorporated in the RFOS. Moreover, the implementation of the transfer of months of financial assistance to other higher education institutions (universities, or universities of applied sciences) proved to be problematic in practice. Consequently the need for revision of the RFOS has now become acute. The new regulations should fulfil this need and provide greater clarity on the matters described above. User-friendliness should be a central aim.

To prevent unnecessary confusion with the old regulations, the name of the new regulations has been changed to TU Delft Graduation Support Scheme (hereunder: 'the Regulations').

The aim of the Regulations is to arrive at a clear and informative regulatory framework, on the basis of which the Executive Board can decide on the granting (approval and payment) of financial assistance (Graduation Support). The terms 'financial assistance' and 'Graduation Support' are both used in Art. 7.51 of the WHW and may therefore be regarded as synonyms.

### Bachelor's-Master's system

In the RFOS, students are compensated for exceptional circumstances (circumstances beyond their control and administrative activities) that have arisen during the period of the combined student grant (Section 3 of the WSF 2000). According to the RFOS, the student must request the administrative body to acknowledge months of delay in student progress, whereby payment is made after the period of the combined student grant. Payment is also made at the student's request. Given that for student generations after 1 September 1996 the student grant is limited to the so-called programme duration, after having been in receipt of a combined student grant for five years a student may realise his or her entitlement. The introduction of the Bachelor's-Master's system has created a lack of clarity on this point, as it is no longer evident when the end of the period of the combined student grant exactly occurs.

As a consequence of the Bachelor's-Master's system, the initial period of education at a university, or university of applied sciences, now has two phases: the Bachelor's and the Master's (Art. 7.3 of the WHW). Both phases may end in a final degree audit. For TU Delft the introduction of the Bachelor's-Master's system means that after three years a Bachelor's degree can be obtained and after a further two years a Master's degree.

It is conceivable that the end of the period of the combined student grant already occurs on completion of the Bachelor's degree programme. In the Regulations it is this point that has been chosen. Implicit in this decision is the fact that the Bachelor's degree programme qualifies as a separate phase of university education. Taking this principle into consideration, the Regulations make the payment of Graduation Support resulting from a delay in student progress during the Bachelor's programme possible at an earlier point than after five years of combined student grant. Payment of Graduation Support after the performance of an administrative activity is possible, in accordance with a number of conditions, at any desired point during the period of the combined student grant, while payment of Graduation Support resulting from circumstances beyond the student's control arising during the Bachelor's programme may be made after the student has been in receipt of the combined student grant for three years. This earlier time of payment is also referred to as the point of 'immediate payment'.

### Immediate payment

Art. 7.51 of the WHW stipulates that the circumstances responsible for causing the delay in student progress must have arisen during the period of the combined student grant. Given the coercive legal framework, no exceptions can be made to this principle. Article 7.51 of the WHW equally prevents payment of Graduation Support during the period of the combined student grant.

It has been found in practice that some students wish already to receive payment for their acknowledged months after three years of combined student grant. As already mentioned, this may concern circumstances beyond control or administrative activities. The possibility is included in the Regulations to already allow payment after the performance of the administrative activity, and in the case of a delay resulting from circumstances beyond control, payment is possible after three years of combined student grant.

The above distinction between circumstances beyond control and administrative positions is a conscious one. The reason for this is that in the case of administrative positions, Graduation Support is regarded by TU Delft as a form of compensation for which – in contrast with Graduation Support for circumstances beyond control – the amount granted based on the WSF 2000 and the duration of the interruption is already fixed before the administrative activity is performed. Moreover, it is also important that as a rule the transfer of guarantee months to other institutions is possible in the case of administrative positions but not in the case of circumstances beyond control. A distinction is also justified in the sense that an

earlier time of payment is justified in the case of a delay in student progress resulting from administrative activity.

As explained above, delay in student progress as a result of circumstances beyond control has a different basis. Hence it would also appear fairer in such cases not to depart from the principle of payment after the period of the combined student grant, even though the Regulations include the above differentiation concerning delay during the Bachelor's programme.

To be clear, it should be noted that for delay occurring during the Master's phase it equally applies that payment for guarantee months is possible before the expiry of the period of the combined student grant, while payment of Graduation Support for circumstances beyond control is made after this period has expired.

Finally, it is worthy of comment that the Higher Education Appeals Board (CBHO) is of the view that a higher education institution is permitted to attach the condition to the payment of Graduation Support that the student should end his or her combined student grant prior to the year for which he is receiving financial assistance (CBHO 2 December 2002, no. CBHO 2002/044).

### System and organisation

Efforts have been made to furnish the Regulations with a clear system. Article 1 defines the terminology and consequently Article 2 describes the scope. As a rule, for Graduation Support to be granted, two decisions of the Executive Board are necessary, one on approval and the other on payment. As a rule, these decisions are not made at the same time. As approval of Graduation Support takes place at an earlier time than payment, it has been decided in the Regulations to place the articles concerning approval before the one concerning payment. Articles 3 to 5 contain the conditions for approval; general conditions are in Article 3 and specific ones in Articles 4 and 5.

Article 6 regulates procedure. As the Executive Board makes its decision taking into consideration the recommendation of a specially established committee, the Central Committee for Financial Assistance (CCFO), this is dealt with in Article 7. Article 8 regulates the procedure for requested payment. Article 9 relates to the decision of the Executive Board, and Article 10, the time of payment. Article 11 is the hardship clause. The Regulations conclude with a number of final articles, which include interim provisions.

### General notes regarding amendments to the Graduation Support Scheme (RAS) of 11 June 2008

The RAS came into force in 2005, replacing the Regulations for Financial Assistance to Students (RFOS). It is desirable to amend the present RAS in view of a number of recent developments, such as the altered position of national and international students who are not eligible for a combined student grant, but still wish to apply for Graduation Support for administrative activities. In addition, the revised regulations are aimed at the appropriate expenditure of financial assistance and at an improvement in quality in the implementation of the RAS.

In amending the RAS, note has been taken of recent jurisprudence of the Higher Education Appeals Board (CBHO) and the revised Higher Education and Scientific Research Act (WHW), which is expected to come into force as of 1 September 2009.

### General notes regarding amendments to the RAS in 2010

The current RAS should be amended in accordance with the changes to the WHW that took effect on 1 September 2010 (Act of 4 February 2010 (Bulletin of Acts and Decrees, 2010/119)). The change in the law has led to the introduction of the 'profile fund' to replace the graduation fund, as well as to clearer and more up-to-date versions of a number of definitions. The opportunity has been taken to make several other amendments to the RAS, such as the advisory role of the CCFO in the case of objections (Article 7) and the restriction on the size of payment for so-called administrative grants (Article 9.2).

The 'profile fund' gives universities greater scope on how to allocate their resources. TU Delft has decided to offer graduation support to international students – they have no entitlement to a student grant nor to payment of statutory tuition fees, but have to meet a residence requirement. The change has led to an adjustment of the definition of exceptional circumstances and combined student grant, and to the inclusion in the RAS of the new definitions of international student and nominal study duration. Finally, the RAS also now states expressly that a student is not entitled to both graduation support and an extra grant for the same circumstance.

### General notes regarding amendments to the RAS in 2012

The current RAS should be amended to reflect the changes to the WHW that took effect on 1 September 2011 (Act of 21 July 2011 (Bulletin of Acts and Decrees, 2011/368)). The changes to the Act obliges the university to establish arrangements for students who owe additional tuition fees (in accordance with Article 7.45b of the WHW) as a result of circum-

stances beyond their control (illness, pregnancy, giving birth, physical, sensory, or other functional disability, exceptional family circumstances).

The arrangements contained in the RAS effectively mean that regular graduation support is increased by the difference between the statutory tuition fee and the statutory tuition fee plus the additional amount. Payments are made monthly and are limited to a period of twelve months, which may be extended. The amendments have been incorporated in Article 9 (Processing and decision-making) and Article 10 (Payment of financial assistance).

The amendments to the regulations are based on the principle whereby the aforementioned additional amount is considered in the same way as are cases where regular graduation support is granted and paid. For that reason, the prevailing provisions of the regulations have been used as much as possible.

## Explanatory notes for each article

### Article 1

This article defines the terms used in the Regulations. The Executive Board is defined as the administrative body as referred to in Art. 7.51 of the WHW (paragraph 1.4).

In paragraph 1.5 the definition of the term 'student' is linked to Article 7.32 of the WHW. The 'student' as mentioned in the first article is also a person entitled to a combined student grant as referred to in Section 3 of the WSF 2000.

A student who is entitled to financial support due to the performance of administrative activities is granted this in months. The previous regulations used the term guarantee months. The intention of this term was to make clear that a fixed number of months were linked to the performance of an administrative activity, as indicated in the guarantee month list. In a certain sense, one might say that a guarantee is made. In the Regulations (Article 1.9) this term has also been adopted.

The WSF 2000 stipulates in Section 3 that the student grant consists of a basic grant, basic loan and supplementary grant or loan, and that this is awarded in the form of a gift, achievement-related grant or loan. In practice this means that for a period of five years a student at TU Delft may claim a combined student grant: the combination of basic grant, basic loan and supplementary grant or loan. After this he or she may receive an interest bearing loan for a period of three years. Art. 7.51 par. 4 of the WHW stipulates that the extent of financial assistance should be equal to the student grant that the student would have received on the basis of Section 3 of the WSF 2000, which would mean that the TU Delft student could borrow what he or she would also be able to borrow through the WSF 2000. This is meaningless in this context. Consequently according to the Regulations (paragraph 1.10) the period of the student grant is limited to that of the combined grant. It should be noted that the CBHO shares this view (see for example CBHO 10 January 2000, no. CBHO99/014; CBHO 2 December 2002, no. CBHO 2002/052).

The WHW has now been revised according to the usual practice in the academic world of determining credits according to the European Credit Transfer System (ECTS). The ECTS has now also been introduced at TU Delft. For this reason paragraph 1.11 is confined to a reference to the relevant stipulation in the WHW.

The definitions in paragraphs 1.12 to 1.14 are derived from Art. 7.51 of the WHW. In paragraph 1.15 the definition of 'Full-time administrative activity' is taken from the description in the guarantee month list.

#### **Amendment 2008**

The phrase "as indicated in the application" has been added to the sentences in the Definitions under 1.14 "Administrative Activities" and "Full-time administrative activity". The purpose is to avoid any lack of clarity concerning the number of guarantee months to be awarded if the student specifies a different number of months than the number actually executed (CBHO 1 April 2008, CBHO 2007/070).

#### **Amendment 2010**

The new Article 7.51 of the WHW determines that the exceptional circumstance must have occurred during the period in which entitlement to a performance-related grant can be claimed, as defined in Section 5 of the WSF 2000. In order to keep in line with the text of the Act, the term 'combined student grant' has been replaced by 'performance-related grant', under 1.10. Parts 1.16 and 1.17 relate to the new terms – 'nominal study duration' and 'international student' and are needed to establish the legal position of students who are not entitled to a performance-related grant on account of their nationality. This concerns 'international students'. The term 'nominal study duration' is relevant to international students and states that the exceptional circumstance must have occurred during this



period. The terms mentioned here relate to the periods of duration of the Bachelor's and Master's programmes taught at TU Delft.

#### Article 2

This article, which is central to the Regulations, expresses the fact that the Executive Board will grant financial assistance if and insofar as a basis for doing so can be found in Art. 7.51 of the WHW. The reference to the second paragraph of that article is included in order to make clear that the exceptional circumstances put forward by the student must be derived from Art. 7.51 of the WHW. The granting of financial assistance other than on the basis of Art. 7.51 of the WHW therefore has no legal basis, and is anyway incompatible with the strict budgetary regulations that apply to a university. For the rest, the fact that the conditions for approval and payment of financial assistance are included in the Regulations speaks for itself.

The categories 'top-level sportsmen and women' and 'vertical University of Applied Sciences (HBO) transfer students' require extra attention. The students in the first of these categories are those who practice sports at such a high level that it is regarded as top-level sport according to the norms of the Olympic Support Point. Although Art. 7.51 of the WHW does not mention this category, it is plausible that the rejection of an application for approval of Graduation Support on the grounds of top-level sport would lead to serious inequity as referred to in Art. 7.51 paragraph 2, opening sentence, and under i of the WHW. Seen in this way, the acceptance of such an application deserves consideration. The application should in any case be accompanied by a declaration from the Olympic Support Point that the sport practiced by the student is regarded as being at top level. Given the serious consequences for the course of study, prior consultation of a Academic Counsellor is very much to be desired.

The category 'vertical University of Applied Sciences (HBO) transfer students' is a particular problem. It comprises students who, having completed a degree programme at a University of Applied Sciences (HBO), commence a programme at TU Delft and then experience a delay as a result of exceptional circumstances. As a rule these circumstances arise after the period of the combined student grant, so the delay in student progress cannot be acknowledged on the basis of Art. 7.51 of the WHW. Given the coercive nature of the statutory provision it is not possible to make an exception for this category, especially as the acceptance of such an application would undoubtedly contravene the budgetary regulations that apply to TU Delft. An appeal on the basis of the hardship clause in the Regulations may therefore also not be accepted.

#### Article 3

This article summarises the general conditions for acknowledgement of delay. The particular conditions are described in articles 4 and 5.

The conditions explained in the first paragraph reiterate those in the first paragraph of 7.51 of the WHW, in practically the same wording.

Regarding the condition described in letter b, it is a deciding factor whether at the time the exceptional circumstances arise the student is actually in receipt of a student grant on the basis of the WSF 2000. It is crucial that in the period concerned the student actually was actually in receipt of a combined student grant and not that in legal terms he or she would be able to claim it for that period at a later date (see CBHO 10 January 2000, no. CBHO 99/014; CBHO 10 April 2000, no. CBHO 99/055).

Given the legislative wording, the condition that the circumstances responsible for causing the delay in student progress must have arisen during the period of the combined student grant must be strictly applied. Hence there is no way financial assistance may be approved outside of this period.

The second paragraph is intended to regulate multiple enrolment. In practice the situation sometimes occurs that a student follows more than one degree programme, either at the same university or university of applied sciences or at different ones, and then makes an application for financial assistance. In this case the question rises as to whether a student may still apply for financial assistance if he or she has already received it from another university, or university of applied sciences. The WHW does not mention this subject. This paragraph aims to clarify the matter by linking it to the university, or university of applied sciences, of first enrolment. This is the higher education institution to which the student is required to pay tuition fees. For the rest, paragraph 6 of Art. 7.51 of the WHW does provide for financial assistance received before 1 September 2000.

The lack of a provision in the second paragraph could mean that even if it has received no tuition fee from the student, the university of second enrolment is obliged under any circumstances to approve and pay financial assistance. This situation is not reasonable in all circumstances. For this reason the second paragraph stipulates that Graduation Support for the second degree programme is only possible if no assistance is received from the university, or university of applied sciences, of first enrolment.

**Amendment 2008**

With the introduction of the RAS, financial assistance for administrative activities ceased to be available for international students who were not entitled to a combined student grant, with the exception of the interim provision in article 12.2 (old).

The purpose of the amendment to this article is to grant the right to receive Graduation Support to students who are not entitled to a combined student grant as referred to in section 3 of the Student Grant Act 2000 (WSF 2000) on the grounds of their nationality.

With this broadening of the regulations, TU Delft anticipates both the above mentioned revision of the Higher Education and Scientific Research Act (WHW), in which the entitlement to financial assistance for administrative activities and the right to a combined student grant are no longer coupled, and the views on this matter in the university community. The amendment is limited to administrative activities. For situations beyond the student's control, the regulations remain unchanged: the exceptional circumstances must have occurred within the period of receipt of the combined student grant.

**Amendment 2009**

Article 3.3 was added to the RAS in 2008, meaning that international students who do not receive combined grants may also be eligible for Graduation Support. The explanatory notes to the article indicate that this extension is limited to administrative activities.

Developments within and outside the university are grounds for broadening the scope further to include the conditions referred to in Art. 7.51, second paragraph, letters a, b, c, g and h, of the WHW, the circumstances beyond the student's control.

TU Delft is experiencing larger and larger intakes of international students. This trend is expected to continue in the future. It is desirable to treat students equally in this regard, specifically international students, who generally are not eligible for combined student grants, and non-international students who are generally eligible for combined student grants.

An amendment to the WHW, most likely on 1 September 2010, will provide for the possibility of granting Graduation Support to students would otherwise not be eligible solely based on their nationality (under the 'profileringsfonds'). It has been decided to anticipate this amendment by including situations that are beyond the student's control in the extensions legislated by the amendment.

**Amendment 2010**

Article 3 regulates the conditions for the awarding of graduation support. The article has been amended in relation to international students, in particular in relation to the provision that the exceptional circumstance must have occurred during the nominal study duration. The terms used in the article have been amended according to the changes to Article 7.51 of the WHW.

**Article 4**

This article regulates the further conditions for the acknowledgement of delay resulting from circumstances beyond the student's control. The first paragraph stipulates that the student should report the occurrence of circumstances beyond his or her control to a Academic Counsellor, with whom he or she should discuss them further. It should be noted that in the consultation with the Academic Counsellor in the case of a protracted delay, the possibility of terminating enrolment should be discussed. In practice, an expected delay of approximately six months is sufficient grounds to investigate the possibility of terminating enrolment. A protracted delay is therefore regarded as being one of this length. However, the possibility is not excluded that the circumstances in a specific case may require the application of a different period. This might be the case where there is a recurring pattern of illness, for example, or insufficient recovery from the effects of an intense experience. It may be assumed that in practice a guideline will be developed.

It is also important in the matter described above that failure to contact the Academic Counsellor in good time may lead to a rejection of the application. The reason for this according to the jurisprudence of the CBHO is that by taking this attitude the student has prevented the consideration of how the negative effects of the circumstances beyond the student's control on his or her progress could best be limited (CBHO 11 June 1999, no. CBHO 99/003). This naturally remains the case if the student is of the opinion that early contact with the Academic Counsellor serves no purpose. It should also be noted that requiring the student to terminate enrolment in the intervening period has also been judged to be acceptable by the CBHO (see CBHO 17 July 2000, no. CBHO 99/045).

The second paragraph codifies the existing practice among universities, and universities of applied sciences, of approving at their own institution financial assistance resulting from circumstances beyond a student's control that has been approved by another. This practice does not apply for delay resulting from administrative activity. Such a delay will not be acknowledged by TU Delft.

**Article 5**

This article regulates the further conditions for acknowledgement of delay as a result of administrative activity.

The performance of an administrative activity is of great importance for a student's future career and TU Delft therefore stimulates it as much as possible. Nevertheless, care must be taken not to accept an administrative position too lightly. The conditions in Art. 5 should also be viewed against this background. The propedeutic (first-year) credit requirement is a minimal guarantee that a degree of student progress can be assumed.

It follows from the legal history of Art. 7.51 of the WHW (Lower House of Parliament, 1999-2000, 26 873, no. 8, p11) that it is not permitted to set progress requirements for students who are members of democratically elected university bodies. For this reason an exception is included in the first paragraph for the Central Student Council, Faculty Student Councils and Board of Studies.

Regarding the 70% requirement for a full-time administrative activity it should be noted that in determining progress, account should be taken of a previously acknowledged delay in student progress. It is after all conceivable that a TU Delft student has already been granted financial assistance, for example on the grounds of circumstances beyond his or her control. It would be experienced as an inequity if in such a case the lower limit of 70% were adhered to. In practice the decision is made – through application of the hardship clause – to reduce the total number of credits by five credits for each previously recognised month of delay, on the understanding that 50% is an absolute lower limit. If after acknowledged months have been discounted the average progress falls below this limit, the request for approval should be refused. It may be assumed that this practice will continue after these regulations have come into force.

In the third paragraph a link is made with the specified appendix and Guarantee Month List. This does not make clear that an administrative activity must have been subjected to the procedural process referred to in the appendix before it becomes eligible for individual approval. Self-evidently the administrative activity must be included in the Guarantee Month List.

#### Article 6

This article describes the procedure to be followed for the submission of an application for acknowledgement of delay.

As far as the role of the Academic Counsellor is concerned, the central point of the article is that for the acknowledgement of delay resulting from circumstances beyond a student's control or a full-time administrative position, the application must be accompanied by a declaration from the Academic Counsellor.

In practice a special form is used for the application (Art. 6.4).

#### Article 7

TU Delft has a Central Committee for Financial Assistance (CCFO), whose task is to advise the Executive Board on applications as referred to in these Regulations and the associated policy. The role, working method, and method for the appointment of members of the CCFO are included in the article.

The members of the CCFO are employed by TU Delft, which means that in their activities they are bound by the confidentiality requirement included in the Collective Labour Agreement (CAO) for Dutch Universities. Consequently this confidentiality requirement has not been included in the Regulations.

In practice the CCFO is supported by a number of practically experienced staff members, for example a student counsellor or lawyer. It is also conceivable that other disciplines may be of help to the CCFO (Art. 7.4).

Secretarial tasks for the CCFO are currently performed by the Central Student Administration. As it is not certain whether this practice will remain unchanged in future, the paragraph 5 is limited to fact that the CCFO has a secretarial office.

#### **Amendment 2010**

Currently, the CCFO advises on applications for allocation of graduation support and on objections against decisions relating to these applications. Advising on objections was not originally part of the advisory function of the CCFO. The Appeals Tribunal for Higher Education (CBHO) has nevertheless decided that the advisory function of the CCFO should extend to dealing with objections against rulings on RAS applications. The introduction of the WHW had led to an amendment to this working method. The new Article 7.63a of the WHW, which relates to the authority and composition of the arbitration committee, states that the arbitration committee should investigate whether an amicable settlement between the parties can be reached, and that the university should make a ruling on an objection within four weeks of receiving it. The compulsory amicable settlement and the short period allowed for reaching a ruling means that the advisory function of the CCFO should be lim-

ited to the original applications. It is of course still possible that the CCFO will be involved in providing advice on objections through attempts at reaching an amicable settlement. TU Delft has included the amicable settlement in Article 7 of the TU Delft Student Objections Committee Regulations (appendix 4 of the 'TU Delft Executive and Management Regulations') where it is described in greater detail.

Article 7 states that the advice of CCFO relates solely to original applications.

#### Article 8

This article describes the procedure to be followed for the submission of an application for payment of financial assistance. Regarding the first paragraph it should be noted that a student must submit his or her application in good time. An application submitted late inevitably results in a total or partial refusal to make payment. According to the jurisprudence of the CHBO it has been judged acceptable to set such a deadline (see for example CBHO 18 March 1996, no. CBHO 95/153; CBHO 14 January 1998, no. CBHO 97/209).

In practice it is known to take several weeks to process an application. A period of six weeks is not unusual. Consequently it is advisable for a student in submitting an application to allow for several weeks of processing.

The first paragraph refers to the date on which an application is received. There are risks attached to sending an application by post. The student must bear in mind that if an application is sent by post it may be received late.

#### **Amendment 2010**

The expansion of Article 8 affects international students who are not entitled to a performance-related grant. In order to link the time that an application is made for payment to a particular period of time, it has been determined that applications by international students must be submitted before the end of the nominal study duration.

The terms used in the article have been amended in accordance with Article 7.51 of the WHW.

#### Article 9

The first paragraphs deals with the Executive Board's decision-making process. The period referred to is a recommended period, on the understanding that eight weeks provides ample time and opportunity to decide on an application. In accordance with the Regulations, the Executive Board is obliged to decide after receiving advice from the CCFO (see CBHO 15 March 2001, no. CBHO 2000/042).

The second article is derived from the fourth paragraph of Art. 7.51 of the WHW and indicates the extent of the financial assistance.

#### **Amendment 2010**

As a result of the amended Article 7.51 of the WHW, the term 'performance-related grant' has been included in the article. The second paragraph regulates the level of Graduation Support to be paid out. As a rule, this is 100 per cent of the performance-related grant as defined in Section 5 of the WSF 2000. If the student carries out administrative duties, then this is ninety per cent of the size of the performance-related grant.

#### **Amendment 2012**

As a result of the amended Article 7.51, fourth paragraph, of the WHW (the additional statutory tuition fee and circumstances beyond a student's control), a third paragraph has been added to Article 9. It states that the level of payable graduation support should be determined by calculating the difference between the regular statutory tuition fee (Article 7.45 of the WHW) and the statutory tuition fee plus the additional amount (Article 7.45b of the WHW).

#### Article 10

This article regulates the time of payment of financial assistance. The gist of the article is that payment of financial assistance is made after the period of the combined student grant, on the understanding that payment as a result of delay due to an administrative activity or circumstances beyond the student's control during the Bachelor's degree programme may be made at an earlier time. This has already been discussed in the general explanatory notes.

#### **Amendment 2010**

This article regulates the payment of Graduation Support. The article has been expanded to cover international students. Payment of Graduation Support may be made during or after the period of nominal study duration.

#### **Amendment 2012**

The amended Article 7.51, fourth paragraph, of the WHW, as a result of the addition of a paragraph to Article 10 has led to the existing paragraphs being renumbered. The new third paragraph determines when payment of graduation support to the student should take place. It has been decided to make the payment after the expiry of the period of nominal

study, with account having been taken of an extra year's student grant in accordance with the Student Finance Act 2000 (illness or functional disability). Payments should be made monthly, and only if the student is enrolled at TU Delft.

The student is eligible for compensation for the penalty imposed for falling behind if his or her study consequently take longer than the period of nominal study, the regular additional year, and the so-called DUO year. A maximum period of twelve months for such compensation has been included in the regulations as a means of expressing the need to encourage students to make progress in their studies. However, this period may be extended after consultation with the student counsellor. The advice of the student counsellor should take account of the student's progress, the possibility of terminating the student's enrolment in the event of a prolonged circumstance beyond the student's control, and the extent to which the student has fallen behind with his studies in relation to the curriculum.

The allocation of graduation support is linked to the extent to which the student is recognised to have fallen behind with his studies as a result of circumstances beyond his control. For example, if it is recognised that he is five months behind, then the period of payment of the difference between the statutory tuition fee and the statutory tuition fee plus additional penalty must not exceed the number of months in 'arrears' (five, in this case). Here, payment would therefore be a maximum of 5/12ths of the amount above the statutory tuition fee.

#### Article 11

The Regulations are generally applicable, based on Art. 7.51 of the WHW. The Executive Board is naturally obliged to comply with them. Seen in this way, there would be no possibility for the board to depart from them where their application would lead to disproportionate harshness or, as the Regulations state, serious inequity. The hardship clause provides a possibility in such cases to deviate from the regulations and thus arrive at a just solution.

The wording and intent of the article indicate that an appeal to the hardship clause may only be sustained in very specific cases.

However, the hardship clause does not make it possible to deviate from statutory provisions of a coercive nature, as included in the WHW and WSF 2000. The Executive Board is obliged to comply with these provisions fully with no possibility to decide otherwise (see for example CBHO 28 May 2004, no. CBHO 2003/067).

It should be noted in relation to this that in Art. 7.51, par. 2, opening sentence and under i of the WHW, there is also a hardship clause. This clause provides the possibility for other exceptional circumstances than those mentioned in Art. 7.51 of the WHW to be cited as a reason for financial assistance to be granted.

#### Article 12

This article is an interim provision. The first paragraph stipulates that appeals that have already been submitted will be dealt with according to the Regulations for Financial Assistance to Students (RFOS) 2004-2005.

The second paragraph is also an interim provision. The stipulations here are derived from Art. 2.1, opening sentence and under c of the RFOS. The gist of this article was that a student who did not have Dutch nationality and who had not received a combined student grant but had experienced delay resulting from the performance of administrative activities could apply for financial assistance in accordance with the RFOS.

As previously stated, on the basis of Art. 7.51 of the WHW, the circumstances responsible for the delay in student progress must have arisen during the period of the combined student grant. Because students who are non-Dutch nationals are only entitled to a combined student grant in exceptional circumstances (Art. 2.1 of the WSF 2000 in conjunction with Art. 3 of the Student Grant Decree 2000), they are therefore not entitled to Graduation Support. It must therefore be concluded that the above provision in the RFOS has no legal basis and for this reason it can no longer be included in the Regulations.

It is known that administrative positions are currently or will in future be filled by students who are non-Dutch nationals. It is not unlikely that such students have accepted an administrative position in the expectation that this would lead to the acknowledgement of guarantee months on the basis of the relevant provision in the RFOS and have thus rescheduled their studies. It would therefore appear unfair to end the existing facilities for students who are non-Dutch nationals with no transitional period. The beginning of the academic year on 1 September 2006 provides non-Dutch students with ample time and opportunity to submit an application for approval, and it is for this reason that applications must be received by the Executive Board by this date. Payment may be made at a later date.

Needless to say, the other provisions in the Regulations for this category of students remain in full force.

#### **Amendment 2010**

The existing transitional arrangements are obsolete and have been revoked. They have been replaced by a transitional scheme for new Article 9.2, which covers a limit on the amount of Graduation Support to be paid out if a student has carried out administrative duties – that is, ninety per cent of the performance-related grant instead of 100 per cent. Individual applications for the allocation of guarantee months that were submitted before 1 September 2010 fall under the previous system, in which case payments will be the equivalent of 100 per cent of the performance-related grant.

#### Article 13

After the Regulations come into force, the Regulations for Financial Assistance to Students (RFOS) become unnecessary and are therefore no longer valid. However, the appendix referred to in the article and the Guarantee Month List continue to apply in full. Both of these were an appendix to the RFOS and after the Regulations come into force they should be seen as an appendix to the Regulations. It is conceivable that these documents will be revised in future.

#### Articles 14 and 15

These articles refer respectively to the date on which the Regulations come in to force and the way in which they should be cited.

*Appendix on the assessment procedure for the allocation of guarantee months for administrative activities*

Article 1.

Recognition of a student association

1. Financial assistance is possible for positions at student associations recognised by the Executive Board according to the procedure described in this appendix.
2. A student association, other than a society:
  - a. which on 1 December of the academic year preceding the academic year for which the application applies has a minimum of 75 members, of which at least 75% of the total number of members on that date are enrolled as students at either TU Delft or a University of Applied Sciences (HBO), on the understanding that a sports club in box 3 must have at least 50 members who are enrolled as students at TU Delft;
  - b. which has conducted activities as a student association according to its statute for at least two years;
  - c. of which membership is open to TU Delft students, and
  - d. which according to the judgement of the Executive Board contributes to a varied and efficient supply of student associations in Delft, may apply to the Executive Board for the allocation of guarantee months.
3. On the advice of the Central Committee for Financial Assistance and in accordance with Article 8 paragraph 1, the Executive Board will inform the association within three months whether the request for recognition of the association has been approved such that the association will be admitted to the guarantee month scheme as of the subsequent academic year.
4. Recognition by the Executive Board is provisional, and its finalisation will depend on the content of the report referred to in Article 9. This definitive recognition will not be made if the organisation concerned has harmed the good name and reputation of TU Delft.

Article 2.

Assessment and distribution of guarantee months for administrative activities

- 2.1 The Executive Board stipulates annually on 1 February the number of guarantee months that will be available for administrative activities in the subsequent academic year.
- 2.2 In accordance with Articles 4, 5 and 6, the Executive Board distributes this number of among the recognised associations, operating the following division into categories:
  1. social clubs (Box 1);
  - 2 a. societies (Box 2a) and  
b. other degree programme related associations (Box 2b);
  - 3 sports clubs (Box 3);
  - 4 administration and representation of student interests (Box 4);
  - 5 a. five-year anniversaries (Box 5a);  
b. other activities (Box 5b);
  6. projects (Box 6).
- 2.3 The Executive Board will inform the associations admitted to the guarantee month scheme of the number of guarantee months available for each association for the subsequent academic year, no later than 1 March.

Article 3.

Application

1. Each association must submit an application for the allocation of guarantee months to the Executive Board no later than 1 May.
2. The application by student association, whereby hereunder society is also understood, must include:
  - a) the statutes of the student association, if these are not yet in the possession of the Executive Board or if they have been revised;
  - b) a specification of the positions within the association which in the association's opinion are eligible for the allocation of guarantee months, as well as the number of guarantee months to be allocated for each position. This provision does not apply to the Central Student Council, Faculty Student Council, boards of studies, visitation committees or the Freshman Week (OWEE) working group;
  - c) the number of members of the association as of 1 December of the academic year preceding the academic year to which the application refers, accompanied by an auditor's certificate; for societies and other degree programme-related associations, it is the number of members enrolled 'as a student' in the degree programme as of 1 December of the academic year preceding the academic year to which the application refers;
  - d) an overview of all positions fulfilled within the current academic year, traceable to individual students, as far as these positions appear on the Guarantee Month List for that academic year;
  - e) all other information that the Central Committee for Financial Assistance regards as

being necessary for a full assessment of a recommendation concerning the application. Each year the Committee will inform student associations of what information is needed.

The Executive Board may determine that one or more of elements a to d in this paragraph are not applicable.

- No later than 1 July, the Executive Board will announce in the Student Charter and/or by other means how many guarantee months each student association will be allocated, in principle. In accordance with Article 2 paragraph 2, this information will be published in the Guarantee Month List, which is included as an appendix to the regulations that apply in the academic year to which the applications refer.

#### Article 4

##### Distribution of guarantee months among the associations included in Box 1 of the Guarantee Month List (social clubs)

The Executive Board determines the number of guarantee months that may be allocated to the student associations referred to in Box 1 of the Guarantee Month List as follows:

The Executive Board allocates a fixed number of 18 guarantee months to these student associations. Furthermore, associations that have large premises receive 18 extra guarantee months, and those that have small premises, 12 extra guarantee months. Associations with professional catering receive 12 extra guarantee months, those with non-professional catering, 3 extra guarantee months. These allocations are deducted from the total number of guarantee months available for these associations according to Article 2 paragraph 2.

The remaining number of guarantee months are distributed in proportion to numbers of members on 1 December of the previous academic year.

#### Article 5

##### Distribution of guarantee months among the associations included in Box 2 of the Guarantee Month List (degree programme related associations)

- The associations that pursue their activities within or proceeding from TU Delft degree programmes and faculties include societies (Box 2a) and debating clubs (Box 2b). Other student associations that pursue degree programme-related activities fall within Box 2b.
- Only one society for each degree programme may submit an application to the Executive Board for the allocation of guarantee months (Box 2a).
- Based on the number of students enrolled in the degree programme concerned as of 1 December of the previous year, the Executive Board will determine how many administrative positions are eligible for the allocation of 12 guarantee months on the basis of the table below.

aantal ingeschrevenen	aantal full-time bestuursfuncties
0<250	4
250<1000	5
1000<1500	6
>1500	7

The total number of these allocated positions, converted into guarantee months, is deducted from the total number of guarantee months available for these associations, as referred to in Article 3 paragraph 5. In addition, each society is allocated a fixed number of 15 guarantee months. The remaining number of guarantee months is distributed in proportion to the numbers of students enrolled 'as a student' in the TU Delft degree programmes.

- The Executive Board allocates a number of months to the total number of associations in Box 2b, which are distributed among the degree programmes in proportion to the number of students enrolled in each programme. The allocation of these guarantee months takes place on the basis of a proposal made by the Dean of each degree programme. This proposal comes about through consultation between the Dean and the eligible organisations within the degree programme, whereby efforts are made as far as possible to reach a consensus. If this is not possible the Dean will make a decision.
- If insufficient or no proposals are submitted for the allocation of guarantee months in Box 2b, the unallocated guarantee months accrue to the central budget for financial assistance.

#### Article 6.

##### Distribution of guarantee months among the associations included in Box 3 (Sport), 4 (Administration, and Representation of student interests) and 5 (Five-year anniversaries and others activities) and 6 (Projects) of the Guarantee Month List

- On the advice of the Central Committee for Financial Assistance, the Executive Board will decide no later than 1 May of the preceding academic year on the allocation of guarantee months to the associations in boxes 3, 4, 5 and 6 of the Guarantee Month List. The organisations in these categories must submit a well-founded application to the Executive Board,



in principle annually. Article 1, paragraphs 2 and 3, apply accordingly.

2. In awarding guarantee months to the clubs in box 3, the Executive Board will seek advice from the Head of Sports and Culture at TU Delft, and from the Delft Student Sports Federation (DSSF).
3. In exception to the stipulation in the first paragraph, for positions in the Central Student Council, Faculty Student Councils, Boards of Studies, visitation committees and the Freshman Week (OWEE) working group, a fixed number of guarantee months applies.

#### Article 7.

##### Box 5a

For each academic year, for box 5a of the guarantee month list (five-year anniversaries), a maximum applies, on the understanding that it is permitted to use reserved guarantee months for anniversary celebrations. At the end of each anniversary year, unused reserved guarantee months expire.

#### Article 8.

##### Box 6

1. The Executive Board can entitle an organisation to receive guarantee months under box 6 (projects) if the following criteria are met:
  - a) the activities carried out in association with the project do not fall within the compulsory curriculum, but are in line with TU Delft's primary activities (education and research), and the student receives no other financial compensation for the activities;
  - b) the project contributes to the student's academic development;
  - c) the project reflects particularly positively on TU Delft and its reputation; where necessary advice may be obtained from an expert in the field of public relations and marketing, for example via the TU Delft department of Marketing & Communications (M&C);
  - d) the activities are functional for the continuity of the project and are of an appropriate extent;
  - e) the activities will result in a delay in the progress of the student's studies of at least three months;
  - f) the application is submitted before the commencement of the activities to be performed, and is accompanied by an explanation of how the time is to be spent;
  - g) a student will not be awarded both credits and guarantee months for the same activity; it is relevant whether the activities can be a component of the degree programme, and active involvement in the project can be expected of the student.
2. The acknowledgement applies for an entire academic year.
3. The Stevin 1 Steering Committee advises the Executive Board on the allocation of guarantee months under box 6.

#### Article 9.

##### Annual reports

No later than 31 December of the calendar year in which the academic year ends, each recognised student association must submit a short report of the association's activities in the preceding academic year, including findings on the allocation of guarantee months.

#### Article 10.

##### Objection

The society concerned may submit an objection to a decision made by the Executive Board as referred to in Article 1 paragraph 3 and Article 6 paragraph 1 of this procedure, as described in the body of the Student Charter, Part I, Section 10, Legal protection.

#### Article 11.

##### Interim provisions

1. Applications submitted before the day these regulations come into force will be handled and concluded according to the regulations applicable up to that point.
2. Objections relating to applications submitted before the day these regulations come into force will be handled and concluded according to the regulations applicable up to that point.

#### Article 12.

##### Commencement and publication

1. These regulations will come into force as of 1 September 2008.
2. These regulations will be available for consultation at the Central Student Administration. The regulations will be posted on the TU Delft website. The regulations, their posting on internet, and their availability for consultation, will be announced in Delta, the university's weekly magazine.

## GRADUATION Support Scheme GUARANTEE MONTH LIST 2010/2011

**Box 1: SOCIAL CLUBS**

Sanctus Virgilius	331
DSC	332
Sint Jansbrug	160
SSRD/Koornbeurs	101
DSB	89
CSR	72
Nieuwe Delft/Bolk	48
Wolbodo	41
CSFR	33
VGSD	33
<b>Totaal</b>	<b>1.240</b>

**Box 2: DEGREE-PROGRAMME RELATED ASSOCIATIONS****2a: Societies**

<b>society</b>	<b>definitive allocation for 2010/2011</b>
Stylos (Arch)	7 12mbf + 29 gmn
VSV (AE)	7 12mbf + 27 gmn
Leeghwater (ME)	7 12mbf + 26 gmn
i.d. (IDE)	7 12mbf + 26 gmn
PS (CE)	7 12mbf + 26 gmn
CH (CS, AM, MKT)	6 12mbf + 23 gmn
Curius (SEPAM)	6 12mbf + 22 gmn
VvTP (AS)	5 12mbf + 21 gmn
ETV (EE)	5 12mbf + 21 gmn
TG (CT)	5 12mbf + 21 gmn
Froude (ME)	5 12mbf + 21 gmn
Life (LST)	5 12mbf + 19 gmn
MV (AES)	5 12mbf + 19 gmn
<b>Total</b>	<b>7712mbf + 301gmn</b>

**Societies total** **1.225**

**2b: OTHER DEGREE PROGRAMME-RELATED ASSOCIATIONS**

<b>faculty</b>	<b>Number of available guarantee months for 2012/2013</b>
Architecture	19
EEMS	10
CEG	14
3Me	17
AE	14
IDE	12
AS	9
TPM	6
<b>total</b>	<b>101</b>

<b>Box 3: SPORTS AND CULTURE</b>		
<b>Activity</b>	<b>Association</b>	<b>Allocation in 2012-2013</b>
Rowing	Proteus Eretes	121
	LAGA	118
Sailing	De Brielse Maas	63
	Broach	13
Rugby	DS Rugbyclub	8
	Thor	11
Volleyball	Punch	40
Hockey	Dopie	15
	DS Hockeyclub	18
	Scoop	10
Climbing	Yeti	13
	DS Alpenclub	15
Korfbal	Paal Centraal	0
Basketball	Punch	15
Surfing	Plankenkoorts	34
Gliding	DS AeroClub	34
Skating	ELS	13
Tennis	Obvius	17
	Tenniphil	14
Gymnastics	Pegasus	8
Football	Ariston	14
	Taurus	11
Cycling	WTOS	16
Swimming	Wave	13
American Football	Delft Barons	9
Boardsports	Drop	10
Futsal	Tutor	8
Sports (general)	Tutor	9
SSD	8	21
9	Krashna Musika	41
Jazz	Groover	21
Music	Krashna Musika	41
Dance	SoSalsa	15
Cabaret	Stukafest	10

**Total: 757**

**Box 4:**

**ADMINISTRATION & REPRESENTATION OF STUDENT INTERESTS**

Student Council	120
ORAS	8
Lijst Bèeta	8
OWEE board	24
VSSD	76
STIP	14
Society Council/Delft Career Site	16
Association Council	9
Board of Studies members	PM (2 guarantee months per person)
Faculty Student Council members	PM (3 guarantee months per person)
Visitation Committee members	PM (2 guarantee months per person)

**Administration and representation total 275 + PM**

**Box 5:**

**OTHER ACTIVITIES**

**5a: Five-year anniversaries 50**

**5b: Other activities**

AEGEE 50

Integrand 10

**Other activities total 60**

**Box 6:**

**PROJECTS**

**Projects 500**

**TU Delft total 4.208**

## NOTES ON AMENDMENTS TO THE 2008 GRADUATION Support Scheme (RAS) Appendix

### General notes

On the grounds of Art. 7.51 paragraph 2, heading and under f, of the Higher Education and Scientific Research Act (WHW), students may be entitled to financial assistance for the fulfilment of an administrative position. In order to be entitled, the student must meet the conditions of the Graduation Support Scheme (RAS), and the student society within which the administrative position is fulfilled must comply with the requirements as set down in the procedure for determining the allocation of guarantee months for administrative activities ('Procedural Regulations') in the Appendix. It is also a requirement that the administrative position concerned appears on the guarantee month list, which details the distribution of months among the student societies.

Apart from conditions for the recognition of student societies, the Procedural Regulations contain a model on the basis of which the available number of guarantee months, up to an annual maximum, are distributed. In the amended regulations, this 'distribution model' is based on six boxes. The annual allocation of guarantee months is made up to a maximum number in each box. This maximum is an absolute ceiling for allocation. For the further distribution of months within the box, varying criteria apply for each box.

The revision of the Procedural Regulations concerns a redistribution of the number of months among and within boxes, as well as to a change in the criteria and procedural rules for the recognition of student societies. In a separate box (the new box 6), the revision also provides for projects and sets an upper limit on the number of months to be allocated for five-year anniversaries (box 5b).

### Notes for each article

#### Article 1

This article refers to the recognition of so-called student societies. Within the Graduation Support Scheme (RAS), the term 'Student societies' is an inclusive term used to refer to social clubs, sports clubs and degree-programme related student associations.

In the new second paragraph, subsection a, the criterion for the minimum number of members is broadened in two ways: 50 members for sports clubs in box 3, studying at TU Delft, and 75 members for other societies. In determining this criterion, in contrast with the previous regulations, University of Applied Sciences (HBO) students also fall within the second category.

A fourth paragraph has been added to the article. According to the revised Procedural Regulations, the annual recognition of student organisations, with the exception of organisations mentioned in box 4, will be made provisionally at the time of application. It will thus be possible to ensure that the organisation making the application genuinely carries out the activities included, and that it meets any further obligations. Depending on the content of the organisation's mandatory report (included in article 9, new numbering), providing an account of the activities to be carried out, the provisional recognition will be converted into a definitive recognition. This definitive status will not be granted if the organisation's activities have harmed the good name and reputation of the university. The Executive Board will only refuse definitive recognition in exceptional and extremely clear-cut circumstances.

#### Article 2

In this article, the 'project box' (box 6) is introduced and an upper limit is set on the number of guarantee months available for the celebration of student societies' five-year anniversaries (box 5a).

As of the academic year 2009-2010, the project box will comprise 500 months, for which the applications must fulfil the criteria in Article 8. For the academic year 2008/2009, an interim measure applies to the project box. This is included in the annually determined guarantee month list. In its application of this article, the Executive Board will seek advice from the broadly-based Stevin 1 Steering Committee. The committee will advise the Central Committee for Financial Assistance (CCFO), which in turn will advise the Executive Board.

The amendment to the Procedural Regulations sets a maximum number of guarantee months for student society's activities in celebration of five-year anniversary activities. This is established in Article 7 and detailed in the guarantee month list.

#### Article 6

Article 6, paragraph 2, regulates the advisory role of the Head of Sports and Culture and the DSSF regarding recognition in box 3. It may be assumed that on the basis of their experience and expertise they will be capable of providing sound advice.

#### Article 7

This new regulation sets a ceiling on the number of guarantee months available for student societies' activities in celebration of five-year anniversaries. This was not included in the previous regulations. The maximum is set at 50 guarantee months, on the understanding that within an academic year student societies are able to make use of reserved guarantee months for anniversary activities.

#### Article 8

This regulation is entirely devoted to the newly introduced project box (box 6). The article provides for a procedure for the allocation of guarantee months, detailing the criteria to be applied. In applying the criteria, the Executive Board will seek advice from the Stevin 1 Steering Committee and the Central Committee for Financial Assistance (CCFO).

The existing Article 8, which included a possibility for objection, no longer applies. Given that the Dutch General Administrative Law Act (AWB) comprehensively regulates the possibility for recourse to a legal remedy, there is no further need for a separate article. Moreover, the possibilities for legal protection are also discussed comprehensively in the Student Charter.

#### Articles 9 and 10

These articles regulate the interim provisions and commencement respectively.

*Appendix: statuses and criteria regarding the allocation of financial support for students participating in top-level sports*

Effective from the 2011/2012 academic year the following set procedure will apply for students participating in top-level sport. This appendix concerns the provision of financial support, subject to conditions as referred to in Art. 7.51 of the WHW and is supplementary to the Graduation Support Scheme (RAS).

The criteria for the allocation of the status 'top-level sportsman or woman', as adopted by the Olympic Network since September 2010, form the basis for the allocation of financial support.

**A status**

Senior International - NOC\*NSF on the recommendation of a sports association (supervision by Olympic Networks)

Senior-level sportsmen and women who are, at least, among the best in the Netherlands (see the Top-level sport statuses handbook (Topsportstatuten) for the appropriate sport for specific details).

**Criteria**

- Sportsmen and women who are members of a sports association's senior team
- Sportsmen and women who perform to a level of (at least) the 'Top 8 of the world'
- Sportsmen and women who compete in a Class 1 top-level sport

**B status**

Senior International - NOC\*NSF on the recommendation of a sports association (supervision by Olympic Networks)

Senior-level sportsmen and women who are, at least, among the best in the Netherlands (see the Top-level sport statuses handbook (Topsportstatuten) for the appropriate sport for specific details).

**Criteria**

- Sportsmen and women who are members of a sports association's senior team
- Sportsmen and women who perform to a level of (at least) the 'Top 16 of the world'
- Sportsmen and women who compete in a Class 1 top-level sport

**HP status**

High Potential – NOC\*NSF on the recommendation of a sports association (supervision by Olympic Networks)

In exceptional cases, sportsmen and women with an exceptional chance of making the top 8 of the world in the near future and high potential with regard to achieving a global top 3 position, NOC\*NSF may grant a sports competitor a status of High Potential (HP).

The HP status cannot be granted to sportsmen and women participating in team sports.

A sports competitor may hold the HP status for a maximum of four consecutive years. The association must recommend the renewal of the HP status each year. The specified performance potential will be reconsidered each time.

**IT-status (International talent)**

- Seniors -1.
- Oldest age category prior to the senior age category, with a maximum extension of three years
- Oldest National Team prior to the senior team
- Age group on the basis of certification or yet to be established in accordance with certification guidelines, in consultation with the association.
- International, individual top 16 or team top 10 of the Senior -1 age category.
- Top 16 Senior -1 world ranking.
- Senior rankings to be determined for each branch of sport (indication of top 100 single events/ late specialisation, top 50 multiple events / early specialisation.
- Performance level meets long-term training plan standards with perspective of international top 8 senior level
- Member of the National Squad or National Team
- Programme meets long-term training plan standards with perspective of international top 8 senior level
- Training programme of more than 1.5 hours a day excluding travelling time
- Training programme of more than 10 hours a week
- Training internships and matches abroad more than 25 days per year/season

**NT-status (National talent)**

- Seniors -1 and -2
- Age limit for seniors with a maximum run-up of five years and a maximum extension of three years.
- Individual sports: Ages at which international teams are selected by the sports association

- Team sports: Age groups in which National Junior Teams represent the Netherlands.
- Age group determined on basis of certification or yet to be determined in consultation with the association.
- International, individual top 16 or team top 10 of the age category senior -1 and senior -2.
- Member of the team in preparation for Junior European or Junior World Championship.
- Performance level meets long-term training plan standards with perspective of top 8 senior level
- Member of National Squad or National Team
- Programme meets long-term training plan standards with perspective of international top 8 senior level
- Training programme of more than 1 hour a day excluding travelling time
- Training programme of more than 8 hours a week
- Training internships and matches abroad more than 14 days per year/season
- Seniors -2 and -3
- .Age limit for seniors-1 (lower limit) with a maximum run-up of seven years.
- Individual and team sports: Best five per year of birth according to talent monitoring system (related to number participants in the competitive sport)
- National top 5 in age group
- Performance level meets long-term training plan standards with perspective of top 8 senior level
- Member of National Squad or National Team
- Programme meets long-term training plan standards with perspective of international top 8 senior level
- Training programme of more than 1 hour a day excluding travelling time
- Training programme of more than 8 hours a week

#### Bel Status (Beloften = Promising Talents)

- Training partners seniors -1 and -2. Members of a training group who follow the same training programmes as National and International talents
- These sports competitors play an essential part as sparring partner at a high level or training partner in a team.
- Performance level near the standards of long-term training plan with perspective of top 8 senior level and relevant to the programme.
- Member of the National Selection or National Team; Member of regional selection or regional team in a programme under supervision of the sports association
- Number of teams, programmes and locations is determined according to the sports association's distribution model.
- Training programme of more than 1 hour a day and 8 hours a week excluding travelling time.

In addition to the NOC\*NSF statuses the Olympic Networks in the Netherlands may decide to offer their own regional support to sportsmen and women who do not/no longer meet the new NOCC\*NSF criteria but who may nevertheless are or continue to be eligible for facilities. As of the 2010-2011 season the Olympic Networks focus on the recommendations of sports associations and training centres and no longer focus on individual registrations:

- Sports competitors from selections of sports associations centres who are not yet eligible for an NOC\*NSF status (A, B, HP, IT, NT or Bel)
- Sports competitors from recognised training centres who are not (yet) eligible for an NOC\*NSF Talent status; Separate criteria and arrangements are determined for each sports association and training centre based on a training programme (minimum requirements regarding number of hours training and competitive experience).

The Olympic Network Den Haag/Haaglanden consequently applies the following general criteria (basic conditions):

#### V status (football only)

Allocation based on sports association criteria laid down in the Men's Status Handbook

- Plays for National under-19 teams
- Plays for district selections of under-16s
- Plays for a professional football association (BVO) in the highest national division for A, B, C-level juniors or D-level pupils.
- Plays for an amateur association in the highest national Futsal division (premier or 1st division)
- Plays for the national under-19 Futsal selection
- Plays for an amateur association in the highest national division

#### Olympic Network Registration (ONR)

Allocation based on sports association criteria laid down in the Status handbook

##### Criteria

- a. Sports competitors are members of a national or international selection of a sports association
- b. Sports competitors participate in a (Junior) European or (Junior) World Championship or (Junior) Olympic Games



- c. Sports competitors are members of a National or Regional Training Centre and have not received an NOC\*NSF status
- d. The sport must be connected to a sports association which is affiliated to NOC\*NE

**TSV Registration.**

Only on recommendation of top-level sports club, training centre or sports association with which separate arrangements have been agreed.

**Criteria**

- a. Sports competitors must participate at the highest national senior or junior level
- b. The sports club must belong to a sports association which is affiliated to the NOC\*NSF

Based on the above, TU Delft has defined the following categories:

**Category 1:** A, B, HP, IT, NT and Belofte

**Category 2:** V, ONR, TSV

**Category 1** is a status awarded directly by the NOC\*NSF. These sports competitors receive support from the NOC\*NSF and/or their own sports association (e.g. travel expenses and accommodation for participation in sports events abroad). Some also receive income compensation. Others may claim RAS. The latter group of students may be allocated support for a maximum of 12 months with a possible extension of up to 18 months in the event of participation in European or World Championships or a similar event.

Students in **category 2** are allocated support for a maximum of 6 months (or a maximum of 12 months in the event of participation in European or World Championships or the Olympic Games).

## APPENDIX:

*TU Delft fee exemption provisions for administrative activities*

## 1. Legislation

An amendment to Article 7.51 (Profiling Fund) of the Dutch Higher Education and Research Act (HERA) took effect on 1 September 2012 which makes it possible for students to perform administrative activities without being subject to tuition fees.

The new paragraphs, 3a and 4a, provide that a university may make provisions for financially supporting individuals who are not enrolled at the university but, if they were enrolled, would be entitled to a form of student grant.

The provisions take the form of an agreement, may only be made for a period of one year and may only be made for an individual who in the opinion of university board performs administrative or social activities that are also in the interests of the university and are not of a commercial nature.

The agreement must contain at least the condition that the individual for whom the provisions are being made has access to the institution's facilities, but not the education.

The Executive Board (EB) believes that the representative body, the student associations and certain student-run projects perform useful work of an administrative or social nature. For this reason the EB wants to implement provisions for the full-time administrators of such student organisations. The provisions are valid for a period of one year.

## 2. Target group

The provisions apply to full-time administrators, i.e. those who are eligible for an allowance from the Graduation Support Scheme (GSS) and hold their post for 12 months; administrators who hold such posts for 11, 10 or fewer months are not eligible. There are currently some 100 full-time administrators.

## 3. Content of the provisions

- Students are registered under a particular category in OSIRIS (for example as 'student administrator').
- An agreement is entered into with these students preventing them from attending any courses and sitting any exams. The agreement may also provide for other topics. A draft agreement has been enclosed as an appendix.
- Student receive a monthly allowance equal to the Graduate Support Scheme, which is paid immediately.

**What does TU Delft not arrange?**

The following aspects are the responsibility of the student.

- a. Tax-related consequences of the benefit. The student does not receive a student grant, but rather a contribution from the Profiling Fund (GSS). In answer to questions in the Lower House, the Minister responded that the benefit paid to administrators who are exempt from tuition fees will not be subject to tax.
- b. DUO loan facility. Students can go to a bank themselves, but TU sees no role for itself in the form of providing bank guarantees or suchlike.
- c. Public transport travel right. It may be useful to mention that not paying tuition fees gives the student more financial room to manoeuvre; this also applies to point b.
- d. DUWO student housing. Terminating enrolment for a year probably won't produce any problems, but the student can make arrangements about this with DUWO him/herself.
- e. Student insurance. Terminating enrolment for a year probably won't produce any problems, but the student can make arrangements about this with his/her insurance company him/herself.

## 4. Conclusion

The fee exemption provisions for administrative activities only apply to the 2012-2013 academic year. If necessary, definitive provisions will be included in the new regime for Graduate Support Scheme that is planned to take effect in 2013. Since the provisions apply for one year only, as few regulations as possible will be amended and an agreement will be used, as referred to in the Act.

The CSA of the E&SA is responsible for the implementation of these provisions. More information about the steps being taken will be placed on the website (link) from (date).

**APPENDIX:**

*Agreement between TU Delft and the Student regarding the Fee Exemption for Administrative Activities during the 2012-2013 Academic Year*

**The Undersigned:**

by virtue of Article 1.8, paragraph 2, of the Dutch Higher Education and Research Act (HERA), the institution possessing a legal personality **Delft University of Technology**, for the purpose of this Agreement, electing as its address for service Stevinweg no. 1 in Delft, legally represented in this matter by .... (H-CSA), who will sign this Agreement on behalf of TU Delft, hereinafter referred to as 'TU Delft';

and

**XXX**, a student at TU Delft, no. XXXX, born on XX XXX 19XX in XXX, residing at XXX in XXX;

**have taken into consideration:**

that TU Delft wants to encourage its students to acquire new and/or more skills outside the regular course curriculum by performing administrative duties in social clubs, student associations, representation, sports, and cultural and social activities;

that Article 7.51 of the HERA sets out that the board of a university or university of applied sciences must make provisions to financially support a student whose academic progress has been delayed or is at risk of being delayed as a result of exceptional circumstances (the 'Profiling Fund');

that TU Delft has implemented Article 7.51 of the HERA by establishing the TU Delft Graduate Support Scheme (GSS);

that an amendment to Article 7.51 of the HERA WHW came into effect on 1 September 2012, pursuant to which the university board may make provisions to financially support students who perform full-time administrative activities without being enrolled and paying tuition fees ('fee exemption for administrative activities');

that these provisions must have the form of an Agreement;

that TU Delft has decided to make the fee exemption for administrative activities possible for students at this university;

that the Parties wish to set down the conditions of the fee exemption for administrative activities in this Agreement, whereby they acknowledge that successful completion of the course has the highest priority;

that the Parties take as a basis the intention of the Student to re-enrol as a student at the end of the year of administrative activities.

DECLARE TO HAVE AGREED AS FOLLOWS:

**Article 1. PURPOSE OF THE AGREEMENT**

- 1.1 The Student is eligible for financial support from the Profiling Fund if he/she:
- a) was enrolled at TU Delft during the 2011-2012 academic year for a full-time initial course for which he is required to pay the statutory tuition fee;
  - b) will perform an administrative activity full-time during the 2012-2013 academic year for 12 months for an organisation included on the 2012-2013 Guarantee Month List (see appendix to the GSS);
  - c) is not enrolled at TU Delft or another institution during the 2012-2013 academic year, either as a student or an external student.
- 1.2 the Student must be enabled to perform the administrative activities in full at all times, to the best of his/her ability.
- 1.3 If applicable, the Student is responsible for terminating his/her enrolment as a student or external student him/herself.

**Article 2 Specific provisions concerning the use of facilities**

- 2.1 The Student may not take courses of any nature whatsoever nor make use of assessment options, such as tests or examinations, in whatever form or whatever modality.

2.2 The Student has free access at all times to the buildings and the grounds of TU Delft.

2.3 Notwithstanding the provisions of the first paragraph of this article, the Student may continue to use facilities offered by TU Delft, including the use of the TU Delft Library and the ICT facilities.

### Article 3 Scope of the financial support

3.1 The conditions of the TU Delft Profiling Fund under the Graduate Support Scheme (GSS), as included in the TU Delft Student Charter (<http://www.tudelft.nl/studentenstatuut>), apply to the financial support being provided, without prejudice to the provisions of this agreement.

3.2 The scope of the financial support will be set in accordance with the provisions of Article 9.2 of the GSS.

3.3 In derogation from the provisions of Article 10.1 of the GSS, the financial support will be paid at the time the full-time administrative activities are performed.

### Article 4 Duration

This Agreement takes effect on 1 September 2012 and ends by operation of law on 31 August 2013.

### Article 5 General

5.1 This Agreement is governed by Dutch law.

5.2 Amendments to this Agreement will only be valid if agreed in writing.

Delft, xx xxxx 2012

Delft University of Technology      The Student

## SECTION I GENERAL PROVISIONS

### *Article 1.1 Definition of terms*

The following terms in these regulations are defined as follows:

- **The Act, the WHW:**  
the Higher Education and Scientific Research Act;
- **de universiteit:**  
Delft University of Technology;
- **The Supervisory Board:**  
the university's supervisory board as referred to in Article 9.8 of the WHW;
- **The Executive Board:**  
the university's executive board as referred to in Article 9.2 of the WHW;
- **student:**  
a person enrolled as a student at the university;
- **Consultative meeting:**  
a meeting of the Student Council and Executive Board for the purpose of consultation;
- **Strategic plan:**  
the plan defining the content and specifications of intended policy as referred to in Article 2.2 of the WHW;
- **Arbitration Committee:**  
the Arbitration Committee as referred to in Article 9.39 of the WHW;
- **Student Council:**  
the body established at institutional level on the basis of the student representation regulations as referred to in Article 9.30 paragraph 3 sentence 2 of the WHW;
- **Faculty Student Council:**  
the body established at faculty level on the basis of the student representation regulations as referred to in Article 9.30 paragraph 3 sentence 2 of the WHW (see Section 7 of these regulations);

### *Article 1.2*

Where they also occur in the Act, all other terms occurring in these regulations are to be interpreted as intended in the Act.

## SECTION 2 COMPOSITION AND TERM OF OFFICE

### *Article 2.1 Composition*

1. The Student Council shall consist of ten members elected from and by the student body.
2. The Student Council shall elect a chairman and one or more deputy chairmen either from its members or elsewhere.
3. The chairman, or in his or her absence, a deputy chairman, shall represent the Student Council both judicially and extrajudicially.

### *Article 2.2 Term of office*

1. The term of office of the members of the Student Council shall commence on 1 September of the year in which the election has taken place.
2. The members of the Student Council are elected for a period of one year.

## SECTION 3 ELECTIONS

### *Article 3.1 Organisation*

The method and organisation of the members of the Student Council are governed by the electoral regulations attached to these regulations.

### *Article 3.2 Eligibility to vote*

Persons who are enrolled as a student at the university on the first day of the month prior to the date of the completion of the electoral register are eligible to vote and be elected.

## SECTION 4 GENERAL JURISDICTION

### *Article 4.1 General jurisdiction (9.32.3 and 4 of the WHW)*

1. As far as it is able the Student Council shall promote openness, transparency and mutual consultation within the university.
2. Moreover, it is the task of the Student Council at the university generally to guard

against discrimination on any grounds and in particular to promote equal treatment of men and women as well as the inclusion of people with disabilities and people from ethnic minorities.

*Article 4.2 Right of initiative (9.32.2 of the WHW)*

1. The Student Council is authorised to make proposals and make its views known to the Executive Board on all matters concerning the university. The Executive Board shall provide a written reasoned response to said proposals within three months, in the form of a proposal.
2. Before the Executive Board responds, it shall provide the Student Council with at least one opportunity to consult with the board on its proposal.

*Article 4.3*

*Consultative meeting of the Student Council with the Executive Board (9.32.1 of the WHW)*

1. The Executive Board shall provide the Student Council with the opportunity to discuss general university affairs with the Executive Board at least twice a year.
2. In this context, the Executive Boards shall make known decisions it has taken in the previous six months in relation to the matters referred to in Article 5.1 of these regulations. The Board shall also make known decisions that it is preparing for the next twelve months in relation to the matters referred to in Article 5.1 of these regulations. For each subject, the Board shall agree when and how the Student Council will be involved in the preparation of these matters.
3. The Executive Board and the Student Council shall meet within a reasonable period if either the Executive Board or Student Council makes a reasoned request to that effect.
4. In the consultative meeting, those university matters shall be discussed that either the Executive Board or the Student Council consider desirable, or for which consultation between the Executive Board and the Student Council is required according to the Act or these regulations.
5. The consultative meeting shall be conducted for the Executive Board by one of its members, who will chair the meeting.
6. The agenda of the consultative meeting shall contain affairs presented to the secretarial support by the Executive Board or Student Council for that meeting.
7. A consultative meeting shall be adjourned if the Executive Board or Student Council regards it as desirable to consider a matter in private.
8. A report of each meeting shall be made by the secretary of the Student Council or by a person appointed jointly by the Executive Board and Student Council.
9. The Executive Board shall ensure that agendas and reports of the consultative meetings are sent to the Dean of the faculty and are available to interested parties for consultation at generally accessible places within the university.

*Article 4.4*

*Public nature of the consultative meeting (9.32.6 of the WHW)*

1. Consultative meetings shall be open to the public, unless the Executive Board or Student Council considers this to be undesirable due to the nature of the matter to be discussed. A decision to hold a closed meeting must be well founded.
2. Those present during a consultative meeting that is closed wholly or in part shall comply with confidentiality regarding its contents, as stipulated in Article 6.5.
3. If the personal interests of any member of the Student Council are at issue during any part of a consultative meeting, the Student Council may decide that the member concerned shall not participate in the meeting or that part of the meeting. The Student Council shall then decide that the issue concerned should be considered during a closed meeting, or closed part of a meeting.
4. Where a consultative meeting is closed wholly or in part, a confidential report shall be made for that meeting or the closed part of the meeting.

*Article 4.5 House rules (9.31.7 of the WHW)*

The Student Council shall determine its mode of operation, procedure for meetings, and house rules, in accordance with the Act and these regulations. As a minimum, the house rules shall regulate the form of Student Council meetings, the drawing up of agendas, the voting procedure, the decision-making process and the compilation of reports.

*Article 4.6 Establishment of committees*

1. The Student Council may establish permanent and temporary support committees from among its members.
2. The house rules shall regulate the composition, responsibilities and operational procedure of the committee(s).

**SECTION 5 SPECIAL JURISDICTION***Article 5.1 Special areas of student representation*

1. Right of approval (9.33 and 9.34.2 of the WHW)  
The Executive Board requires the approval of the Student Council on all relevant decisions concerning:
  - a) The student charter, as referred to in Article 7.59 of the WHW;
  - b) Rules in relation to health, safety and welfare;
  - c) The choice of systems of representation, as referred to in Article 9.30, paragraph 1 of the WHW;
  - d) The regulations as referred to in Article 7.51 paragraph 4 of the WHW. The Executive Board requires the approval of two thirds of the total number of members of the Student Council on its proposal for the regulations governing the Student Council and any amendment to them.
2. Advisory powers (9.34.3b of the WHW)  
The Executive Board shall seek the Student Council's advice on all relevant decisions concerning:
  - e) the budget, which should include the level of the institutional tuition fees, among other things;
  - f) matters concerning the continued existence of and proper procedure at the university;
  - g) the code of conduct for the use of foreign languages;
  - h) the mandatory study recommendation;
  - i) the maximum number of admissions;
  - j) the regulations governing the Examination Appeals Board;
  - k) student facilities (including student housing);
  - l) TU Delft policy regarding academic staff, where this directly affects education.
  - m) policies in relation to institutional tuition fees;
  - n) regulations on refunds of statutory tuition fees.

*Article 5.2 Procedure for right of approval (9.34.3g of the WHW)*

1. The Executive Board shall submit reasoned written proposals to the Student Council at a time such that they may be discussed in the Student Council meeting prior to the consultative meeting.
2. The Student Council shall not make decisions before the matters concerned have been discussed at least once in a consultative meeting. After discussion in the meeting the Student Council shall make known its decision on whether to grant or withhold approval on a proposed decision, if at all possible during the same consultative meeting. If the Student Council indicates that it is not able to do so, it shall make its decision known in writing to the Executive Board within ten working days of the consultative meeting.
3. If the Student Council has not made its decision known within the appointed term, the proposed decision will be regarded as having received the Student Council's approval.

*Article 5.3**Disputes on right of approval (9.34.3g, 9.41 and 9.40 of the WHW)*

1. If a proposal of the Executive Board does not receive the required approval of the Student Council, the Executive Board shall inform the Student Council within three months as to whether the proposal is to be withdrawn or sustained. If the Student Council is not informed within three months, the proposal shall cease to be valid.
2. If the Executive Board wishes to implement the decision, this shall be regarded as a dispute in the sense of Article 9.40 paragraph 1 letter a of the WHW. The Executive Board shall report the dispute to the Supervisory Board. The Supervisory Board shall then investigate whether or not an amicable settlement is possible. If this is not possible, the Executive Board shall put the dispute before the arbitration committee.  
If the Student Council is of the opinion that the Executive Board should have presented a decision to the Student Council for approval, the Student Council shall bring this to the notice of the Executive Board, stating its reasons. The Executive Board shall consult with the Student Council. If after this consultation the Executive Board still does not present the decision to the Student Council for approval and the council decides to stand by its view, it shall bring this to the notice of the Executive Board. The matter shall then be regarded as a dispute for which the procedure detailed in the second paragraph of this article should be followed.

*Article 5.4 Procedure for advisory powers (9.35 , 9.34.3g of the WHW)*

1. The Executive Board shall present any reasoned written proposals for which the advice of the Student Council must first be sought to the council at such a time that:
  - a) it is able to be of real influence on the decision-making process;
  - b) if the Student Council wishes to consult with the Executive Board before making its recommendation, it is able to discuss the proposal in the Student Council meeting prior to the consultative meeting.
2. The Executive Board shall inform the Student Council as soon as possible in writing of the way in which a recommendation is to be acted upon.
3. If the Executive Board wishes totally or partially to reject the Student Council's recommendation, it will provide the council with the opportunity to consult with the board

before making a final decision. This invitation shall be accompanied by a written explanation of the board's reasons.

4. The Student Council shall inform the Executive Board whether after reconsideration the council still adheres to its original recommendation, if at all possible during the consultative meeting as referred to in the third paragraph, and no later than ten days after the meeting. The recommendation shall be made in writing.

*Article 5.5 Disputes on advisory powers (9.43, 9.40 of the WHW)*

1. If the Student Council stands by its original recommendation, the Executive Board shall defer the implementation of the decision by four weeks, unless the Student Council has no objection to immediate implementation.
2. If the Student Council is of the opinion that the total or partial rejection of its recommendation seriously harms the interests of the university or Student Council, the council shall report the dispute to the Supervisory Board.  
The Supervisory Board shall investigate whether or not an amicable settlement is possible. If this is not possible, the Student Council shall put the dispute before the Arbitration Committee no later than four weeks after the Executive Board has made the decision concerned.  
In doing so the Student Council shall also submit the arguments in favour of its recommendation, and for its opinion that the total or partial rejection of its recommendation would seriously harm the interests of the university or Student Council.

*Article 5.6 Arbitration Committee (9.39 and 9.40 of the WHW)*

Disputes as referred to in Section 9, heading 2, paragraph 3 of the WHW shall be presented to the Arbitration Committee as referred to in Article 9.39 of the WHW. The dispute shall be handled according to Article 9.40 of the WHW.

## **SECTION 6 OTHER RIGHTS AND OBLIGATIONS**

*Article 6.1 Obligation to provide information (9.32.5 of the WHW)*

1. The Executive Board shall provide the Student Council with all the information it reasonably requires to carry out its duties in good time, whether or not such information has been requested. This shall in any case include information provided at least once a year on the content of the regulations in relation to employment terms and conditions, and agreements with each group of people working at the university, the members of the Executive Board and the Supervisory Board.
2. The Executive Board shall provide information referred to in the first paragraph in writing unless otherwise agreed.
3. The Executive Board shall provide the information as soon as possible but no later than three weeks after receiving a written request from the Student Council. The Executive Board may exceed this term only in exceptional circumstances and to do so it must inform the Student Council stating its reasons.
4. Without prejudice to the provisions of the first paragraph, the Student Council shall promptly inform the Executive Board of the council's desire to receive additional information either during or prior to a meeting.
5. At the beginning of the academic year, the Executive Board shall provide the Student Council with basic information on the composition of the Executive Board, Supervisory Board, the organisation of the university, and key points of policy that has already been made.
6. The Executive Board shall inform the Student Council at least once a year in writing of the policy it has implemented in the preceding year and its policy intentions for the following year regarding the university in the fields of finance, organisation and education.

*Article 6.2 Report of Student Council activities (9.32.7 of the WHW)*

1. The Student Council shall make an annual report of its activities and ensure that it is brought to the attention of all persons concerned with the university.
2. It is the responsibility of the Student Council to send the agendas and reports of Student Council meetings to the Executive Board and Faculty Student Councils, and make them available for consultation by interested parties at generally accessible places at the university.

*Article 6.3 Legal protection (9.32.8 of the WHW)*

The Executive Board shall ensure that the position in relation to the university of Student Council members, including candidates and former members, is not prejudiced as a result of their membership of the council.

*Article 6.4 Facilities (9.48 of the WHW)*

1. The Executive Board shall provide the Student Council and its individual members with the opportunity to properly perform the tasks as referred to in the Act.
2. The Executive Board will at minimum make the following facilities available to the Student Council:
  - a. financial allowance according to the TU Delft graduation regulations as well as a



- reimbursement of expenses to be set by the Executive Board.
- b. training;
- c. administrative support and meeting rooms;
- d. a Student Council budget.

#### *Article 6.5 Confidentiality*

1. Members of the Student Council are required to maintain confidentiality on all matters they are privy to in their capacity as council members that the Executive Board or Student Council have indicated to be of a confidential nature or of which they should they should understand to be of a confidential nature.
2. The party imposing the confidentiality requirement shall also inform the Student Council as to which information, supplied either in writing or verbally, is subject to confidentiality and for how long it shall apply, and whether there are persons in respect of whom confidentiality does not have to be maintained. If the reasons for confidentiality no longer apply, the party imposing the confidentiality requirement shall inform the Student Council accordingly.
3. If according to the judgement of the majority of council members, a member of the Student Council is guilty of breaching the confidentiality requirement referred to in the first paragraph of this article, and/or if the Executive Board is of the opinion that a member has not maintained a confidentiality requirement imposed by the Board, the person involved shall receive a warning from the chairperson of the Student Council. If this person is found to have breached confidentiality for a second time, he or she shall be excluded from attending meetings or parts of meetings that are closed and from receiving information that is subject to confidentiality.
4. The obligation to maintain confidentiality shall not cease to apply because the Student Council membership of the person concerned has been discontinued or his or her connections with the university have been ended.

#### *Article 6.6 Other rights and obligations*

The Executive Board shall inform the Student Council of any intentions to appoint or dismiss the ombudsman, as referred to in the Ombudsman Regulations.

## **SECTION 7 JURISDICTION OF THE FACULTY STUDENT COUNCILS**

### *GENERAL JURISDICTION*

#### *Article 7.1 Jurisdiction of student councils (9.38a of the WHW)*

1. The Dean shall provide the Student Council with the opportunity to discuss general faculty affairs with him or her at least twice a year. The Dean and the Student Council shall meet at the reasoned request of either the Dean or the council.

#### **Right of initiative**

2. The Student Council is authorised to make proposals and make its views known to the Dean on all matters concerning the faculty. The Dean shall provide a reasoned written response to such proposals within three months, in the form of a proposal. Before the Dean responds, he or she shall provide the Student Council with at least one opportunity to consult with him or her on its proposal.

#### **Right to information**

3. At the beginning of the academic year, the Dean shall provide the Student Council with basic information on the organisation of the faculty and key points of policy that has already been made. The Dean shall inform the Student Council at least once a year in writing of the policy he or she has implemented in the preceding year and of policy intentions for the following year regarding the university in the fields of finance, organisation and education. Furthermore, the Dean shall promptly provide the Student Council with all the information it reasonably requires to carry out its duties, whether or not such information has been requested.
4. If the personal interests of a member of the Student Council are at issue during a particular meeting that is closed wholly or in part, the Student Council may decide that the member concerned shall not participate in the meeting or that part of the meeting. The Student Council shall then also decide that the matter concerned will be dealt with in a closed meeting.

#### **Report of Student Council activities**

5. The Student Council shall make an annual report of its activities and ensure that it is brought to the notice of all persons concerned with the faculty. It is the responsibility of the Student Council to send the agendas and reports of Student Council meetings to the Dean, and make them available for consultation by interested parties at generally accessible places at the faculty.

**SPECIFIC JURISDICTION***Article 7.2**Right of approval by the Student Council**(9.38 WHW and 9.37.2 of the WHW)*

The Dean requires the approval of the Student Council on all relevant decisions concerning:

- a. faculty regulations, as referred to in Article 9.14 of the Act;
- b. the teaching and examination regulations, as referred to in Article 7.13 of the Act with the exception of the subjects referred to in Article 7.13 paragraph 2 under letters a to g, the designation of a Master's programme that follows on from a Bachelor's programme, the admission requirements for a Master's programme for those not in possession of a pre-connecting Bachelor's programme degree certificate;
- c. the degree-programme-related part of the Student Charter.

*Article 7.3**Other rights of approval and advisory powers (9.37.2 of the WHW)*

The Faculty Student Council has the same right of approval and advisory powers in relation to the Dean that the Student Council at institutional level has, provided the matters in question particularly concern the faculty and the appropriate rights have also been granted to the Dean.

*Article 7.4 Student Council advisory powers (9.37.2 of the WHW)*

The Dean requires the advice of the Student Council on all relevant proposals concerning the budget and matters concerning proper procedure in the faculty.

*Article 7.5 House rules*

The Student Council shall determine house rules for its meetings. At minimum the house rules shall regulate the form of Student Council meetings, the drawing up of agendas, the voting procedure, the decision-making process and the compilation of reports.

**SECTION 8 FINAL AND INTERIM PROVISIONS***Article 8.1 Commencement of and amendments to these regulations*

These regulations and any amendment of them shall be presented to the Student Council by the Executive Board, and shall not be enacted by the Executive Board before they have obtained the approval of two thirds of the total number of Student Council members, having first been discussed and possibly amended by the council.

*Article 8.2 Unforeseen circumstances*

In cases relating to subjects governed by these regulations for which the regulations make no provision, or in the case that these regulations lead to multiple interpretations, the Executive Board shall make a proposal to the Student Council to make provision for the case in question; in urgent cases such a proposal may be made verbally in a meeting. The Student Council shall decide on the proposal on the basis of a simple majority; if a quorum is not present, the matter shall be decided based on the opinion of the majority of members present.

*Article 8.3 Commencement*

These regulations shall come into force one day after they have been ratified by the Executive Board in accordance with Article 8.1 of these regulations.

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Ratified by the Executive Board on 26 May 1998 after approval by the Student Council on 26 May 1998. Amended by the Executive Board on 23 June 1999 after approval by the Student Council on 23 June 1999 and on 22 June 2010, following approval by the Student Council on 10 June 2010.

**Appendix 1 to Appendix 3**

election regulations for the Central Student Council and the Faculty Student Councils of TU Delft

**I Definition of terms***Article 1*

1. 1. Terms used in these regulations shall be understood as follows:

the act:	the Higher Education and Scientific Research Act;
the university:	Delft University of Technology;
the Executive Board:	the Executive Board of Delft University of Technology;
the Dean:	the Dean of a faculty at TU Delft;
the Student Council:	the student council at institutional level and the facultybased student councils;
the election committee:	the election committee at institutional level and the faculty-based election committee;
the election committee at institutional level:	the committee as referred to in Article 3 paragraph 2 of these regulations;
the faculty-based election committee:	the committee as referred to in Article 3 paragraph 3 of these regulations;
the polling committee:	the polling committee as referred to in Article 3 paragraph 2, which assists the election committee in holding elections;
polling card:	a letter inviting all persons who are entitled to vote to do so on the day of the election;
computer:	the computer that is used for voting by those who are entitled to do so.

2. Articles 2 and 4 to 16 apply to the elections for the student council at institutional level, Faculty Student Councils.

**II Elected term of the Student Council***Article 2*

1. The elected term of the Student Council shall be one year, beginning 1 September from the year in which the election has taken place.
2. Outgoing members may immediately stand for re-election.
3. Apart from by the expiry of his or her elected term, a member of the Student Council's membership may also be ended by:
  - a. letter of resignation addressed to the chairperson of the Student Council;
  - b. the termination of enrolment as a student on the grounds of the provisions made in article 7.42 of the WHW;
  - c. death.
4. The membership of a member elected to fill a vacancy shall expire at same time that the membership of the person whom he or she has replaced would have expired.

**III Preparation for the election / entitlement to vote and eligibility for election / nomination***Article 3*

1. The organisation of the election of the members of the Student Council at institutional level and the Faculty Student Councils is the responsibility of the Executive Board.
2. The Executive Board shall assign the task of organising elections both for the Student Council at institutional level to an election committee. This committee shall consist of three members and three deputy members. The Executive Board shall provide support to this committee. The election committee may engage the assistance of one or more polling committees, each of which shall consist of at least three persons employed by the university or enrolled as students at the university. Membership of the election committee may not be combined with membership of the Student Council at institutional level.
3. The Dean of each faculty shall assign the task of organising elections for the faculty based student council to an election committee consisting of three members and three deputy members. Membership of this committee may not be combined with membership of the Faculty Student Council.

4. The election committee at institutional level is authorised to issue instructions to the faculty-based election committee in connection with the organisation of the elections. It shall notify the Deans of any such instructions. The faculty-based election committee shall take the instructions into consideration in the exercise of its duties.

*Article 4 Entitlement to vote and eligibility for election*

Only persons enrolled as a student at the university on the first day of the month preceding the date on which the electoral register is drawn up are entitled to vote and eligible for election.

*Article 5 Date of elections*

1. The Executive Board shall set the date(s) of elections as well as the times that voting opens and closes, in consultation with the Student Council at institutional level. The Executive Board shall pass this information to the student council at institutional level and the Faculty Student Councils, the Deans and the student organisations, and announce it in Delta, the university's weekly magazine. These announcements must take place at least 12 weeks prior to the date of the election.
2. The election of members of the student council shall take place in the second quarter of the calendar year unless, in exceptional cases and in consultation with the Student Council, the Executive Board decides otherwise.

*Article 6 Electoral register*

1. No later than seven weeks prior to the date of the election the Executive Board shall draw up a list of persons enrolled as a student who on the date of the election are entitled to vote and eligible for election, and makes this known to the university.
2. The electoral register shall include the name, initials, student number, degree programme(s), place of residence and address of each voter.

*Article 7 Nomination of candidates*

1. Nomination shall take place by the submission of a list of one or more candidates to the secretary of the election committee. He or she shall issue a signed receipt in the name of the person who has submitted the list.
2. Any candidate seeking nomination for election to a Faculty Student Council must be enrolled as a student at the university on the programme for which he is seeking nomination.
3. The Executive Board determines, after consultation with the Central Student Council, the deadline for submission of the lists of candidates. The Executive Board shall notify the Student Council at institutional level, the Faculty Student Councils and faculty Deans of the deadline and publish details in Delta.
4. A candidate list may contain a maximum of 30 names of candidates. For the submission of a candidate list the support is required of at least 10 persons who are eligible to vote for the student council at institutional level and at least 5 persons who are entitled to vote for the Faculty Student Council, as evidenced by their signatures. A person who is eligible to vote may support only one list and may not appear as a candidate on that list.
5. The candidate list states the surname, initials, place of residence and address of candidates. The initials may be partly or entirely replaced by the first name. Together with the abbreviation of the degree programme, the surname, initials (or first name) of the candidate may not contain more than thirty characters including spaces.
6. Each candidate list must be accompanied by a written declaration by each candidate on the list stating his or her student number and indicating that he or she accepts the nomination.
7. For nominations both for the election of the Faculty Student Council and the Central Student Council, the name of a candidate may appear on only one candidate list, except that a candidate may appear both on a list for the Central Student Council and on a list for a Faculty Student Council.

*Article 8 Investigation of candidate lists*

1. The election committee shall investigate whether the candidate lists, and the candidates that appear on them, fulfil the requirement of these regulations.
2. The election committee shall remove from the list any names of candidates that do not fulfil these requirements, and declare any candidate list that does not fulfil these requirements invalid, and shall immediately inform the person(s) by whom the list was submitted, stating the reasons. The election committee shall subsequently allow this/ these person(s) one week to amend the list so that it conforms to the requirements.
3. The election committee shall make the candidate lists known to the students enrolled at the university no later than two weeks prior to the date of the election.
4. The election committee shall assign a number from one onwards to the candidate lists of groupings that won seats in the previous election, the number one being assigned to the grouping that received the largest number of seats.
5. The name of a grouping may not contain more than 25 characters including spaces.
6. The name of a grouping may not entirely or for the main part resemble that of another grouping which has submitted a candidate list earlier or which won more seats in the previous election.

*Article 9*

If fewer candidates are nominated than there are places to be filled on the Student Council, no election shall take place and the candidates nominated shall be considered to have been elected.

**IV Voting methods at elections***Article 10*

1. At least ten days before the day of the final day of the election or the final day of voting, as referred to in Article 5, the election committee shall send each voter a polling card, as referred to in Article 1.
2. At minimum this polling card shall state:
  - a. the surname, initials and address of the voter;
  - b. the student number of the voter;
  - c. the way in which votes may be cast and the period during which this may take place.

*Article 11*

1. The election shall take place by secret ballot by computer.
2. Each student that is entitled to vote shall have the opportunity to vote by computer on the date set by the election committee.
3. The election committee shall ensure that at one separate location, supervised by staff and/or students appointed by the election committee, a computer is available with which those entitled to do so may cast their vote.
4. As soon as a student's entitlement to vote has been accepted by the computer, he or she shall have the opportunity to vote for one of the candidates on the candidate lists shown on the computer.

*Article 12*

1. Every student who is entitled to vote may do so once in the elections for the Student Council at institutional level.
2. Every student who is entitled to vote may do so once in the elections for the Faculty Student Council, or for the chamber of a Faculty Student Council under which the programme on which he or she is enrolled as a student at the university, falls.

*Article 13*

1. When voting has closed, on the basis of a report from the manager of the website concerned, the election committee shall establish the number of valid votes that have been cast for each candidate.
2. Each person who is entitled to vote may submit a complaint to the election committee at institutional level if he or she is of the opinion that irregularities have occurred that could influence the result of the election. The election committee shall investigate such a complaint at once and make a decision on the validity of the complaint. Depending on the seriousness of the complaint, the election committee may decide to annul the election and hold a new one.

*Article 14*

- 1 **a. Determination of the election result for the Student Council at institutional level**  
To determine the result of the election, the election committee shall first calculate the quota by dividing the number of votes cast by the number of seats available on the Student Council. Each candidate list shall then be allotted a number of seats equal to the number of votes cast for that list divided by the quota. The remaining votes, as well as those votes cast for a list that received less votes than the quota, shall count as remainders. Seats that cannot be filled in this way shall be awarded to the lists with the largest remainders of votes. If two or more lists have the same remainder of votes, it shall be decided by lottery which list it to receive the first remaining seat.  
Lists that have received less than 75% of the quota shall not be eligible to be awarded a remaining seat. Seats falling to a list shall be awarded to the candidates in the order that they appear on the list, on the understanding that a candidate who has personally received a quota is elected automatically.
- b. Determination of the election result for the Faculty Student Council**  
To determine the result of the election, the election committee shall first calculate the quota by dividing the number of votes cast by the number of seats available on the student council. Each candidate list shall then be allotted a number of seats equal to the number of votes cast for that list divided by the quota. (Lists that have received less than 75% of the quota shall not be eligible to be awarded a remaining seat.) The remaining votes, as well as those votes cast for a list that received less votes than the quota, shall count as remainders. For each candidate list, the election committee shall rearrange the candidates that appear on it as follows. Candidates who have personally received the quota are elected automatically, and shall be placed at the top of the list. These are followed by the candidates that have received a number of votes that is larger than one quarter of the quota,

ordered according to the number of votes received. The remaining candidates shall then follow in the order in which they appear on the candidate list. Where candidates have received an equal number of votes, their position shall be decided according to the order of the candidate list.

As soon as this rearrangement of candidates on the candidate lists has taken place, the election committee shall allocate the remaining seats to be filled. These seats shall be allocated successively to the lists with the largest remainders of votes. If the two or more lists have the same remainder of votes, it shall be decided by lottery which list is to receive the first remaining seat. Seats that fall to a list shall be allocated to the candidates on that list in the order in which they appear after rearrangement.

2. The election result shall be determined by the election committee and announced to the Executive Board and the students enrolled at the university.
3. After the term during which objections may be made (Article 17 paragraph 1) has elapsed, the election committee shall inform each candidate in writing whether or not he or she has been elected. If the candidate has been elected, a declaration of election shall be sent by recorded delivery, or issued in return for a signed receipt.
4. If the candidate does not make it known to the election committee that he or she accepts his or her election within one month of receiving the declaration of election, he or she shall be regarded as not having accepted his or her election.
5. The election committee shall bring the declaration of election and the candidate's acceptance of it to the notice of the chairman of the student council.

#### *Article 15.*

The voting data on the website concerned shall be kept by the secretary of the election committee for at least three months.

### **V Provision for interim vacancies**

#### *Article 16*

1. Where a candidate does not accept his or her election, or a vacancy on the student council arises on the basis of Article 2 paragraph 3, the election committee shall declare as elected the most highly placed candidate who is not yet elected, or not yet serving, on the list to which the committee member who is to be succeeded belongs. The following candidates are excluded:
  - a. the candidate whose vacancy is being filled;
  - b. candidates who are not prepared to accept election at that time;
  - c. candidates who have discontinued their enrolment based on the provisions of Article 7.42 of the WHW;
  - d. candidates who have died.
2. The appointment shall be made within one month of the vacancy's arising. Article 14 paragraph 2 is applicable accordingly.

### **VI Regulations for objection**

#### Article 17.1

1. Interested parties may object to a decision concerning:
  - a. the setting of the election date and the times at which voting opens and closes (Article 5 paragraph 1),
  - b. the drawing up of the list of those who are entitled to vote and eligible for election (Article 6 paragraph 1),
  - c. the validity of a candidate list (Article 8)
  - d. the decision on a complaint concerning irregularities (Article 13 paragraph 2)
  - e. the determination of the election result (Article 14 paragraph 2),
  - f. the filling of an interim vacancy (Article 16),
 within one week of its announcement. As regards points a and b objections should be submitted to the Executive Board, and as regards points c to e, for elections for the student council at institutional level to the Executive Board, and for elections for the Faculty Student Council, to the Dean.
2. On receipt of an objection, the Executive Board or Dean shall inform the person who has submitted it in writing that the TU Delft advisory committee for objections, as referred to in the legal protection section of the Executive and Management Regulations, will make a recommendation on the objection to the Executive Board or Dean. The Executive Board or Dean shall make a decision on the objection within three days of receiving this recommendation.

**APPENDIX 1 to the Election Regulations for Student Councils**

INSTRUCTIONS from the Election Committee for the election of the Central Student Council and Faculty Student Councils.

**Secrecy**

- I. The election committee shall take measures to ensure the secrecy of voting.
- II. As soon as the time set for voting to take place has expired, access to the website concerned shall be terminated by or on behalf of the central election committee.
- III. The faculty-based election committees shall ensure that regular supervision takes place during the election, within the faculty buildings and particularly in locations where computers are concentrated, to prevent any irregularities from taking place.
- IV. The faculty-based election committees shall ensure that on election days public computers with internet access are screened off as much as possible or are switched off.

**APPENDIX 2 to the Election Regulations for Student Councils****Code of conduct prior to and/or during elections**

The aim of a code of conduct as given below is to provide guidelines for the way in which students and parties should interact during elections. If this code is 'breached' it does not necessarily mean that the elections will be influenced. This is the purpose of the complaints procedure, as described in Article 13 paragraph 2 of the Election Regulations, whereby it may be ascertained whether irregularities have occurred that might have influenced the determination of the election result.

**a. General rules for interaction**

It is important that student council elections proceed fairly and reputably. Campaigns must be conducted with mutual respect for others and their views and agreements.

- In campaign statements and promotional material, do not use indecent or unnecessarily offensive language.
- Treat opponents with respect.

**b. Conducting the campaign prior to and during the election**

Parties promote themselves throughout the year. At the time of the election these promotional activities increase and are directed specifically at winning votes in the election. An election campaign is naturally about influencing people. 'How do I persuade my fellow students to vote for my party?' 'How do I convince them of my views?'

However, there are limits to the methods of influence and persuasion. Where any coercion takes place, these limits have been exceeded. It is therefore important during elections that students follow the rules below.

During the campaign and election period:

- Promotional activities are not permitted in computer rooms. This means that no campaign material (election slogans, posters or other promotional material) may be present in rooms at TU Delft where it is possible to vote, particularly in computer rooms.

Furthermore, during the election period:

- It is the responsibility of all those who are entitled to vote to do so without being influenced by other voters, and to refrain from directly influencing other voters.
- The wearing of campaign clothing and/or addressing students while wearing campaign clothing in computer rooms is not permitted.
- While wearing campaign clothing, within a radius of 20 metres of a computer with internet access that is not screened off, it is not permitted to:
  - address students
  - be present, apart from merely walking past the computer.

**c. Campaigning methods: mailings, e-mails and internet**

Campaign material and promotional activities take many forms. Apart from traditional means like leaflets, stands and debates, nowadays increasing use is made of new media like internet and e-mail. Here a general rule applies:

- a. Bulk e-mails addressed to large groups of voters are not permitted.

**SECTION 1 GENERAL PROVISIONS***Article 1.1 Definition of terms*

The following terms shall be used in these regulations:

- the Act, the WHW:** the Higher Education and Scientific Research Act;  
**the WOR:** the Works Councils Act;  
**the university:** TU Delft;  
**the Supervisory Board:** the Supervisory Board of the university as referred to in Article 9.8 of the WHW;  
**the Executive Board:** the Executive Board of the university as referred to in Article 9.2 of the WHW;  
**Works Council:** the Works Council set up at TU Delft as a result of the decision of the Executive Board to exercise the option in Article 9.30 of the WHW to apply the Works Councils Act;  
**Student Council:** the body set up at institutional level, based on the student representation regulations referred to in Article 9.30 paragraph three, second sentence of the WHW;  
**Joint meeting:** the joint meeting of the Works Council and the Student Council, as referred to in Article 9.30a, paragraph one of the WHW;  
**Consultative meeting:** the meetings at which the parties in the joint meeting hold consultations with the Executive Board;  
**Arbitration Committee:** The Arbitration Committee referred to in Article 9.39 of the WHW.

*Article 1.2*

Where they also occur in the Act, all other terms occurring in these regulations are to be interpreted as intended in the Act.

**SECTION 2 COMPOSITION***Article 2.1*

The joint meeting shall consist of members of the Works Council and the Student Council.

**SECTION 3 DECISION-MAKING PROCESS OF JOINT MEETING***Article 3.1*

1. For the purpose of decision-making in the joint meeting, the votes shall be allocated to the members of the joint meeting in such a way that the proportion of votes of both the Student Council and the Works Council as a whole shall be of equal value:
  - a. the vote of each member of the Student Council shall have a value of 1;
  - b. the value of the vote of each member of the Works Council shall be calculated by dividing the number of members of the Student Council by the number of members of the Works Council.
2. A meeting of the joint meeting may only take place if at least half of the members of the Student Council and at least half of the members of the Works Council are present.
3. In the event of a meeting not taking place due to the circumstances described in the previous paragraph, the joint meeting will be notified of a new meeting, to take place no less than forty-eight hours after such notification is given. The requirement of the third paragraph shall not apply for the second meeting.
4. The joint meeting may decide in special cases, if the consent of at least two thirds of the votes of the joint meeting has been obtained in writing, to agree with the Executive Board that decisions may be taken outside the joint meeting, in writing.

**SECTION 4 CONSULTATIVE MEETING WITH THE EXECUTIVE BOARD***Article 4.1*

1. The Executive Board is responsible for calling consultative meetings, and shall agree a date in consultation with the chairmen of the Works Council and the Student Council. The subjects discussed in the consultative meeting shall be those referred to in Article 6.2, paragraph one of these regulations under a to c, over which the joint meeting has the right of approval.
2. The Executive Board is responsible for ensuring that the joint meeting is in possession of the agenda and related documentation at least fourteen days before the consultative meeting, except when urgent matters have to be discussed.
3. The joint meeting may request the Executive Board to call an extra consultative meeting about the matters referred to in Article 6.2, paragraph 1 of these regulations, under a to c.



The reasons for any such request must be given, and it should have the support of at least half of the votes of the joint meeting. If the Executive Board refuses such a request, it must provide its reasons for doing so.

4. The consultative meeting shall be conducted for the Executive Board by one of its members, who will chair the meeting.
5. The consultative meeting shall be chaired in rotation by a member of the Executive Board, the chairman of the Works Council and the chairman of the Student Council.
6. The agenda of the consultative meeting shall be drawn up by the Executive Board, in consultation with the chairmen of the Works Council and the Student Council.
7. A consultative meeting shall be adjourned if a member of the Executive Board or the chairman of the Works Council or the chairman of the Student Council wishes to consider a matter in private.
8. A report of each meeting shall be made by a person nominated by the Executive Board.
9. The Executive Board shall ensure that agendas and reports of the consultative meetings are sent to the Deans of the faculties and are available to interested parties for consultation at generally accessible places within the university.

#### *Article 4.2*

##### *Public nature of the consultative meeting (9.32.6 of the WHW)*

1. Consultative meetings shall be open to the public, unless the nature of the matter to be discussed makes it desirable that it be discussed in closed session.  
Any decision to hold a meeting in closed session must be well founded.
2. Those present during a consultative meeting that is held either wholly or partly in closed session shall have a duty of confidentiality regarding its substance, as stipulated in Article 6.6.
3. If any personal interests of any member of the joint meeting are at issue during a consultative meeting, the joint meeting may decide, following a proposal by at least half the members of the Student Council or half the members of the Works Council, that the member concerned should not take part in that meeting or relevant part of the meeting. The joint meeting shall also decide whether or not the discussions on the matter in question should take place in closed session.
4. Where a consultative meeting is held in closed session either wholly or in part, a confidential report shall be made for that meeting or the closed part of the meeting.

### **SECTION 5 PROVISION OF INFORMATION (9.30a.3 and 9.34.3.f)**

#### *Article 5.1*

1. The Executive Board shall provide, in good time, the members of the joint meeting, whether they ask for it or not, all the information that they can be reasonably expected to need in order to fulfil their duties. The Executive Board is responsible for ensuring that the joint meeting is informed at an early stage about the progress of the preparations of the matters referred to in Article 6.2 paragraph 1, and that it is given the opportunity to exchange views on said matters with the Executive Board.
2. The information provided by the Executive Board in accordance with the first paragraph shall be provided in writing, unless otherwise agreed.
3. The Executive Board shall provide the information as quickly as possible, but no later than three weeks after a written request from the joint meeting has reached the Executive Board. This period may only be exceeded by way of exception, and the joint meeting must be informed in writing as to the reasons for failure to comply with said period.

### **SECTION 6 JURISDICTION OF JOINT MEETING**

#### *Article 6.1 Right of initiative*

1. The joint meeting is authorised to make proposals to the Executive Board and make its positions known in relation to matters referred to in Article 6.2, paragraph 1 under a to c of these regulations. The Executive Board shall issue its reasoned response to such proposals to the joint meeting in writing within three months in the form of a proposal. If the Executive Board does not respond within three months, a dispute shall be deemed to exist as defined in Article 9.45 of the WHW.
2. Before the Executive Board issues its response, the Board shall give the joint meeting at least one opportunity to hold consultations with the Board in respect of its proposal.

#### *Article 6.2 Right of approval (9.30a.2 of the WHW)*

1. The Executive Board requires the right of approval of the joint meeting of all relevant proposals concerning the following matters:
  - a. the strategic plan, referred to in Article 2.2. of the WHW, including the outlines of financial policies, as well as major interim amendments to the strategic plan;
  - b. the design of the system of quality assurance in accordance with Article 1.18, paragraph 1 of the WHW, as well as the proposed policies in the light of the outcomes of the quality assessment referred to in Article 2.9, paragraph 2, second sentence of the WHW;
  - c. the executive and management regulations, as referred to in Article 9.4 of the WHW.

2. The Executive Board requires the approval of two thirds of the votes of the joint meeting on its proposals for joint meeting regulations as well as for any amendment of same.

### Article 6.3

#### *Procedure for right of approval (9.30a.3 and 9.34.3g of the WHW)*

1. The Executive Board shall submit reasoned written proposals to the joint meeting at a time such that they may be discussed at a Works Council meetings and a Student Council meeting prior to the consultative meeting.
2. The joint meeting shall not make decisions before the matters concerned have been discussed at least once in a consultative meeting.  
After discussion, the joint meeting shall make known its decision on whether to grant or withhold approval on a proposed decision, if at all possible during the same consultative meeting. If the joint meeting indicates that it is not able to do so, it shall make its decision known in writing to the Executive Board within three weeks of the consultative meeting.
3. If the joint meeting has not expressed a view in the allotted period, the proposed decision shall be deemed to have been given the approval of the joint meeting.

### Article 6.4

#### *Disputes on rights of approval (9.30a.4 and 9.40 of the WHW)*

1. If a proposal of the Executive Board does not receive the required approval of the joint meeting, the Executive Board shall inform the joint meeting within three months as to whether the proposal is to be withdrawn or sustained. If the joint meeting is not informed within three months, the proposal shall cease to be valid.
2. If the Executive Board wishes to implement the decision, this shall be regarded as a dispute in the sense of Article 9.40 paragraph 1 letter a of the WHW. The Executive Board shall report the dispute to the Supervisory Board. The Supervisory Board shall investigate whether or not an amicable settlement is possible. If it is not, then the Executive Board will put the dispute before the arbitration committee.
3. If the joint meeting is of the opinion that the Executive Board should have presented a decision to the joint meeting for approval, the joint meeting shall bring this to the notice of the Executive Board, stating its reasons. The Executive Board shall consult with the joint meeting. If after this consultation the Executive Board still does not present the decision to the joint meeting for approval and the council decides to stand by its view, it shall bring this to the notice of the Executive Board. The matter shall then be regarded as a dispute for which the procedure detailed in the second paragraph of this article should be followed.

### Article 6.5 Arbitration Committee (9.39 and 9.40 of the WHW)

Disputes as referred to in Section 9, paragraph 3 of the WHW shall be presented to the arbitration committee as referred to in Article 9.39 of the WHW. The dispute shall be handled according to Article 9.40 of the WHW.

### Article 6.6 Confidentiality

1. Members of the joint meeting as well as any experts consulted by them are obliged to treat as confidential any matter brought to their attention in their respective capacities in respect of which the Executive Board or the joint meeting has indicated its confidential nature, or any matter of which they should be aware of its confidential nature. Any proposal to impose an obligation of confidentiality will be made known wherever possible before the matter in question is discussed. The person imposing the obligation of confidentiality shall also give notice of which written or verbal information is covered by the obligation of confidentiality and how long the imposition of same will last, as well as whether there are persons with regard to whom the obligation of confidentiality need not be observed.
2. The first paragraph applies equally to persons who have supporting functions in relation to the joint meeting.
3. The obligation referred to in the first paragraph shall not apply to any person who is approached by a member of the joint meeting for consultation purposes, provided the Executive Board or the person who has imposed the obligation of confidentiality has given prior permission for the consultations with the person in question and that the latter has declared his or her willingness in writing to treat the matter in question with confidence. In that case, the first paragraph shall apply to the person in question.
4. Should the Executive Board or the person who has imposed the obligation of confidentiality refuse to give permission referred to in the previous paragraph, they shall give their reasons for doing so.
5. If any member of the joint meeting is, in the opinion of a majority of the joint meeting, guilty of any breach of an obligation of confidentiality referred to in the first paragraph of this article, or of the Executive Board is of the view that a member has not adhered to an obligation of confidentiality imposed by the Executive Board, the chairman of the joint meeting shall issue a warning to the person concerned.  
If the same member of the joint meeting is found to be guilty of a breach of an obligation of confidentiality for a second time, the person involved shall be excluded from any meeting or parts of meetings held in closed session, and from receiving any information that is subject to an obligation of confidentiality.
6. The obligation of confidentiality shall not lapse as a result of termination of membership of the joint meeting nor of the cessation of any links between the person involved and the university.

## **SECTION 7 FINAL AND INTERIM PROVISIONS**

### *Article 7.1 Commencement of and amendments to these regulations*

These regulations and any amendment of them shall be presented to the joint meeting by the Executive Board, and shall not be enacted by the Executive Board before they have obtained the approval of a two-thirds majority of the joint meeting, taking into account the values of the votes referred to in Article 3.1.

### *Article 7.2 Unforeseen circumstances*

In cases relating to subjects governed by these regulations for which the regulations make no provision, or in the case that these regulations lead to multiple interpretations, the Executive Board shall make a proposal to the joint meeting to make provision for the case in question; in urgent cases such a proposal may be made verbally in a meeting. The joint meeting shall decide on the proposal on the basis of a simple majority; if a quorum is not present, the matter shall be decided based on the opinion of the majority of members present.

For the purpose of determining whether or not a majority vote has been cast, account shall be taken of the value of the votes referred to in Article 3.1.

### *Article 7.3 Commencement*

These regulations shall come into force one day after they have been ratified by the Executive Board in accordance with Article 7.1 of these regulations.

Ratified by the Executive Board on 26 August 1998 after approval by the joint meeting on 26 August 1998.

Last amended by the Executive Board on 10 August 2010 after approval by the joint meeting on 8 July 2010.

Amended by the Executive Board following approval by the Joint Meeting of the Works Council and the Student Council. Lastly approved by the Supervisory Board on 22 June 2011.

**CONTENTS**

SECTION I	DEFINITION OF TERMS
SECTION II	ADMINISTRATION AND ORGANISATION OF THE UNIVERSITY
Par. 1	General provisions
Par. 2	The Supervisory Board
Par. 3	The Executive Board
Par. 4	The Board for Doctorates
Par. 5	The faculty
Par. 6	Cooperation between faculties
SECTION III	MANAGEMENT
SECTION IV	STUDENT REPRESENTATION
Par. 1	At university level
Par. 2	At faculty level and university centres
SECTION V	LEGAL PROTECTION
Par. 1	The Examination Appeals Board as referred to in Article 7.60 of the WHW
Par. 2	The Central Objections Committee
SECTION VI	CONFIDENTIALITY
SECTION VII	FINAL AND INTERIM PROVISIONS

**SECTION I DEFINITION OF TERMS**
*Article 1*

The university of technology in Delft may be referred to as Delft University of Technology or TU Delft.

*Article 2*

1. Unless expressly stated otherwise, terms used in these regulations shall be understood as follows:

<b>a. WHW:</b>	the Higher Education and Scientific Research Act;
<b>b. minister:</b>	the Minister of Education, Culture and Science;
<b>c. university:</b>	Delft University of Technology;
<b>d. Executive Board:</b>	the Executive Board of Delft University of Technology as referred to in Article 10;
<b>e. Supervisory Board:</b>	the Supervisory Board as referred to in Article 7;
<b>f. faculty:</b>	a faculty, as referred to in Article 3;
<b>g. Dean:</b>	the official referred to in Article 19 paragraph 2
<b>h. faculty regulations:</b>	the document referred to in Article 22 paragraph 3
<b>i. Director of Studies:</b>	the official referred to in Article 25;
<b>j. supporting organisation:</b>	the office as referred to in Article 5;

<b>k. integrated management:</b>	the responsibility for the realisation of organisational objectives and the management of the resources available to do so within the framework and guidelines drawn up by the directly superior level of management.
<b>l. manager:</b>	the managers appointed by the Executive Board in accordance with Article 34 paragraphs 2 to 4, namely: the Dean of a faculty and the manager of a university facility, as well as the director of the research institute referred to in Appendix 2 (point 2);
<b>m. management unit:</b>	a subdivision of the university organisation distinguished by the Executive Board as a separate unit of human, financial and material resources;
<b>n. management subunit:</b>	a separate subdivision within a management unit, approved by the Executive Board on the recommendation of the manager;
<b>o. mandate regulations</b>	regulations determining who within TU Delft is authorised to act legally on the university's behalf;
<b>p. department:</b>	a collaboration of professionals and their immediate administrative support within the faculty, as referred to in Article 22 paragraph 3;
<b>q. works council:</b>	the body established on the basis of the Works Councils Act;
<b>r. student council</b>	a body which on the basis of the student representation regulations as referred to in Article 9.30 paragraph 3 sentence 2 of the WHW is established both at institutional level and for each faculty;
<b>s. Technology, Policy and Management user's council:</b>	the consultative body established in the Faculty of Technology, Policy and Management for the purpose of consultation between students and the Dean on the service teaching provided by this faculty;
<b>t. joint meeting:</b>	the body referred to in Article 9.30a of the WHW;
<b>u. appendix:</b>	a document that forms a part of these regulations and therefore requires the approval of the joint meeting;
<b>v. summary:</b>	a document that does not form a part of these regulations and therefore does not require the approval of the joint meeting.

2. Other terms appearing in these regulations that also appear in the WHW shall be understood according to their meaning in the WHW.

## SECTION II ADMINISTRATION AND ORGANISATION OF THE UNIVERSITY

### SUBSECTION 1 GENERAL PROVISIONS

#### *Article 3 Faculties*

The university comprises the following faculties.

- a. the Faculty of Architecture;
- b. the Faculty of Civil Engineering and Geosciences;
- c. the Faculty of Electrical Engineering, Mathematics and Computer Science;
- d. the Faculty of Aerospace Engineering;

- e. the Faculty of Mechanical, Maritime and Materials Engineering;
- f. the Faculty of Industrial Design Engineering;
- g. the Faculty of Technology, Policy and Management;
- h. the Faculty of Applied Sciences;

#### Article 4 *Degree programmes*

The university offers the following degree programmes:

- a. in the Faculty of Architecture:
  - the Bachelor's degree programme in Architecture;
  - the Master's degree programme in Architecture, urbanism and building sciences;
- b. in the Faculty of Civil Engineering and Geosciences:
  - the Bachelor's degree programmes in:
    - Civil Engineering;
    - Applied Earth Sciences;
  - the Master's degree programmes in:
    - Civil Engineering;
    - Applied Earth Sciences;
    - Construction Management & Engineering;
- c. in the Faculty of Electrical Engineering, Mathematics and Computer Science:
  - the Bachelor's degree programmes in:
    - Electrical Engineering;
    - Applied Mathematics;
    - Computer Science.
  - the Master's degree programmes in:
    - Electrical Engineering;
    - Applied Mathematics;
    - Computer Engineering;
    - Computer Science;
    - embedded systems;
- d. in the Faculty of Aerospace Engineering:
  - the Bachelor's degree programme in:
    - Aerospace Engineering;
  - the Master's degree programme in:
    - Aerospace Engineering;
- e. in the Faculty of Mechanical Engineering, Marine Technology and Materials Science & Technology:
  - the Bachelor's degree programmes in:
    - Mechanical Engineering;
    - Marine Engineering.
  - the Master's degree programmes in:
    - Mechanical Engineering;
    - Marine Technology;
    - Systems & Control;
    - Materials Science & Technology;
    - offshore & dredging engineering;
- f. in the Faculty of Industrial Design Engineering:
  - the Bachelor's degree programme in:
    - Industrial Design
  - the Master's degree programmes in:
    - Integrated Product Design;
    - Design for Interaction;
    - Strategic Product Design;
- g. in the Faculty of Technology, Policy and Management:
  - the Bachelor's degree programme in:
    - Systems Engineering, Policy Analysis and Management.
  - the Master's degree programmes in:
    - Management of Technology;
    - Engineering & Policy Analysis;
    - Systems Engineering, Policy Analysis & Management;
- h. in the Faculty of Applied Sciences:
  - the Bachelor's degree programmes in:
    - Molecular Science & Technology - Applied Physics;
    - Life Science & Technology;
  - the Master's degree programmes in:
    - Applied Physics;
    - Chemical Engineering
    - Life Science & Technology;
    - Nanoscience;
    - Sustainable Energy & Technology;
    - Science education & communication;
- i. among the Faculty of Civil Engineering and Geosciences, the Faculty of Mechanical, Maritime and Materials Engineering, and the Faculty of Technology, Policy and Management:
  - the Master's degree programme:
    - Transport, Infrastructure & Logistics.

- j. between the Faculty of Civil Engineering and Geosciences, Aerospace Engineering and the Faculty of Technology, Policy & Management:  
the Master's degree programme:  
- Geomatics.
- k. between the Faculty of Mechanical, Maritime and Materials Engineering, the Faculty of Electrical Engineering, Mathematics and Computer Science and the Faculty of Applied Sciences:  
the Master's degree programme:  
- biomedical engineering.

*Article 5 Supporting organisation*

The university has a supporting organisation, which is referred to as the University Corporate Office. It is headed by a member of the Executive Board.

*Article 6 Integrated management*

The administration and management of the university is organised according to the principle of integrated management.

## **SUBSECTION 2 THE SUPERVISORY BOARD**

*Article 7 Composition and appointment of the Supervisory Board (9.7 of the WHW)*

1. The Supervisory Board shall consist of a minimum of three and a maximum of five members.
2. The chairperson and the other members shall be appointed, suspended or dismissed by the minister. One of the members shall be appointed following a proposal by the joint meeting of the Works Council and the Student Council. The proposal shall consist of at least two names. If the proposed candidates are not appointed by the minister, a new proposal shall be made. The minister may reject the second proposals, but must state his or her reasons for doing so. Account will be taken during the appointment of the distribution of seats between men and women. The minister shall appoint a member who enjoys the particular trust both of the works council and of the student council. This appointment shall remain in effect for a maximum period of four years.
3. Where there are serious reasons for doing so, a member may be dismissed prematurely.
4. The composition, tasks and powers of the Supervisory Board are such that the Board is able to exercise effective and independent control. The members of the Supervisory Board shall have no direct interest in the university. The members of the board shall not be employed by a government ministry, nor shall they be members of the Dutch House of Representatives or Senate. They are members of the board in a personal capacity and exercise their function without being bound by any mandate and without consultation. Members of the board shall be appointed on the basis of profiles published in advance.
5. The Works Council and the Student Council shall be given the opportunity to make recommendations to the Supervisory Board regarding the profiles referred to in the fourth paragraph.
6. The Executive Board shall provide functionally independent administrative support for the Supervisory Board. The Supervisory Board shall have the right to approve the appointment and dismissal of the secretary to the board.
7. The members of the Executive Board shall attend the meetings of the Supervisory Board, unless the Supervisory Board decides otherwise. They shall have a consultative voice in this.

*Article 8 Responsibilities and jurisdiction (9.8 of the WHW)*

1. The Supervisory Board supervises the work and the exercise of the powers of the Executive Board, and assists same in an advisory capacity.
2. The Supervisory Board is in any case responsible for:
  - a. appointing, suspending, dismissing and determining the remuneration of the members of the Executive Board;
  - b. the approval of the Executive and Management Regulations, as referred to in Article 9.4 of the WHW;
  - c. the approval of the strategic plan, as referred to in Article 2.2 of the WHW;
  - d. the approval of the budget, the annual accounts and annual report, as referred to in Article 2.8 and 2.9 of the WHW;
  - e. the supervision of the design of the quality assurance system in accordance with Article 1.18 of the WHW; the approval of the decision or its repeal, as referred to in Article 9.30 of the WHW, and, as the occasion arises, of the associated regulations for representation;
  - f. the document referred to in Article 4.2 paragraph 3 of the WHW regarding the proportional representation of women in executive positions in the field of education and research;
  - g. supervising compliance by the Executive Board with its statutory obligations and observation of the industry code, referred to in Article 2.9 of the WHW;
  - h. supervising the lawful acquisition and effective and lawful designation and use of resources obtained on the basis of Articles 2.5 and 2.6 of the WHW;

- i. appointing an accountant as meant in Article 393, paragraph 1 of Book 2 of the Civil Code, who shall report to the board;
  - j. giving an account every year of the execution of its responsibilities and the exercising of its powers, as meant under a to i, in the university annual report, and
  - k. the approval of a decision concerning joint regulations as referred to in Article 8.1 of the WHW.
3. The Supervisory Board shall hold consultation with the Works Council and the Student Council at least twice a year.

*Article 9            Accountability and provision of information  
(9.9 of the WHW)*

1. The Supervisory Board is accountable to the minister.
2. The Supervisory Board shall provide the minister with any requested information on its actions.

**SUBSECTION 3            THE EXECUTIVE BOARD**

*Article 10            General jurisdiction (9.2 of the WHW)*

1. The Executive Board is responsible for the administration and management of the university as a whole, without prejudice to the Supervisory Board.
2. The president of the Executive Board represents the university both judicially and extrajudicially.

*Article 11            Special jurisdiction (9.4 and 9.5 of the WHW)*

1. The Executive Board shall draw up a Executive and Management Regulations to regulate the administration, management and organisation of the university.
2. The Executive Board shall draw up guidelines regarding the organisation and coordination of the implementation of the powers referred to in Articles 22 paragraph 3 and 23 paragraph 1.
3. The Executive Board shall draw up guidelines and instructions for the exertion of managerial authority.

*Article 12            Composition of the Executive Board and the legal  
status of members*

1. The Executive Board shall consist of three members, including the Rector Magnificus. The appointments procedure shall take the balance of male and female members into account.
2. The members of the Executive Board shall be appointed, suspended or dismissed by the Supervisory Board. The appointment shall remain in effect for a period of time to be determined by the Supervisory Board. At the end of the month in which a member reaches the upper age limit applicable for public service, he or she shall be discharged.
3. Before appointing or dismissing a member of the Executive Board, the Supervisory Board shall consult the Works Council and Student Council in confidence about the intended appointment or dismissal. This advice shall be requested at such a time that it may have a genuine influence on the decision.
4. The Executive Board shall provide the Works Council with the opportunity to make a recommendation on the intended appointment or dismissal of a member of the Executive Board. This advice shall be requested at such a time that it may have a genuine influence on the decision.
5. The president of the Executive Board shall be appointed from among the members of the Supervisory Board.
6. The Rector Magnificus is a full professor and shall be nominated for appointment by the Executive Board, in accordance with the appointment procedure attached to these regulations (Appendix 1). This nomination shall be adhered to unless otherwise agreed in consultation with the Executive Board.
7. Where there are serious reasons, a member of the Executive Board may be prematurely dismissed.
8. A member of the Executive Board may not also be:
  - a. a member of the Supervisory Board;
  - b. a Dean of a faculty;
  - c. a Director of Studies;
  - d. a member of the Supervisory Board or Executive Board of another university.

*Article 13            Accountability and the provision of information  
(9.6 of the WHW)*

1. The Executive Board is accountable to the Supervisory Board.
2. The Executive Board shall provide the Supervisory Board with any information requested concerning its decisions and actions.
3. The Executive Board shall provide the minister with information requested concerning the university.



*Article 14 Internal division of responsibilities*

Without prejudice to the responsibility of the Executive Board as a whole for the fulfilment of its task, the Executive Board may decide to divide its responsibilities internally. This division shall be brought to the notice of the Supervisory Board and the staff and students of the university.

*Article 15 Procedural regulations*

The Executive Board may draw up procedural regulations for its meetings, which shall be brought to the notice of the Supervisory Board.

Article 16 Advisory and consultative bodies

The Executive Board may establish bodies for advice and consultation.

**SUBSECTION 4 THE BOARD FOR DOCTORATES**

*Article 17 The Board for Doctorates*

1. There is a Board for Doctorates.
2. The members of the Board for Doctorates shall be appointed by the Executive Board. The Board for Doctorates consists of:
  - a. the Rector Magnificus, as chairperson;
  - b. a vice-chairperson, to be appointed by the Rector Magnificus;
  - c. the Dean of a faculty or a full professor from this faculty nominated by the Dean.
3. The Board for Doctorates has the following responsibilities:
  - a. to draw up doctoral regulations;
  - b. to appoint PHD supervisors
  - c. to confer doctorates
  - d. to award honorary doctorates
  - e. to advise on the establishment of endowed chairs, according to the provisions in Article 28 of these regulations.

*Article 18 Doctoral regulations (7.19 of the WHW)*

The Board for Doctorates shall draw up doctoral regulations in accordance with the provisions of the WHW. These shall regulate:

- a. further requirements for obtaining a doctorate, as referred to in Article 7.18 paragraph 2 under c of the WHW;
- b. procedure concerning the preparation for a doctorate and the conferral of the doctorate itself, including the duty and authority of all persons who are or may be involved, and the facilities for the settlement of differences that may occur during the preparation or conferral of a doctorate.

**SUBSECTION 5 THE FACULTY 5.1**

**5.1 GENERAL TERMS**

*Article 19 Responsibilities and management of the faculty (9.12 of the WHW)*

1. The provision of education and the practice of science shall take place in the faculty.
2. The head of the faculty is the Dean of the faculty.

*Article 20 Appointment and dismissal of the Dean (9.13, paragraphs 1, 2 and 3 of the WHW)*

1. The Dean may be appointed, suspended or dismissed by the Executive Board. The Dean has the capacity of full professor. The appointment shall remain in effect for a period of time to be determined by the Executive Board.
2. The Executive Board shall establish an appointment procedure, in accordance with Article 9.13 paragraph 2 of the WHW.
3. Where there are serious reasons the Dean may be suspended or prematurely dismissed.

*Article 21 Deputy Dean*

The Executive Board shall appoint a full-time full professor of the faculty as deputy Dean, on the nomination of the Dean, to replace him or her during prolonged periods of absence.

**5.2 AUTHORITY AND DUTIES OF THE Dean**

*Article 22 General duties and authority (9.14 of the WHW)*

1. The Dean is the integrated manager of the faculty and is responsible for its general management. He or she is also responsible for managing the administration and organisation of the faculty in relation to education and academic practice.

2. The Dean shall participate in the administration of the university among other things by consulting with the Executive Board on the preparation of the strategic plan and the budget.
3. Without prejudice to the guidelines of the Executive Board referred to in Article 11 of these regulations, further to regulate the administration and organisation of the faculty, the Dean shall draw up faculty regulations. These shall include the subdivision of the faculty through the establishment of departments. The head of a department is accountable to the Dean.
4. The faculty regulations require the approval of the Executive Board.
5. If within a term to be set by the Executive Board the faculty regulations have not yet or not fully been drawn up, the Executive Board shall draw up the missing section(s).

*Article 23 Special duties and authority (9.15 of the WHW)*

1. It is also the Dean's responsibility:
  - a. to draw up the teaching and examination regulations, as referred to in Article 7.13 of the WHW, and to evaluate them at regular intervals;
  - b. to draw up general guidelines for academic practice;
  - c. to draw up the annual research programme of the faculty;
  - d. to supervise the implementation of the teaching and examination regulations and the annual research programme, and report on this regularly to the Executive Board;
  - e. to establish the boards of examiners and the board as referred to in Article 7.29 paragraph 1 of the WHW, and to appoint the members of these boards;
  - f. the rules of implementation regarding the binding study recommendations, with the exception of designating study programmes to which binding study recommendations apply;
  - g. to draw up further regulations concerning the way in which exemption, as referred to in Article 7.25 paragraphs 1 and 2, 7.28 paragraphs 2 to 4, and Article 7.29 paragraph 1 of the WHW, may be obtained;
  - h. the issuing of notices of admission for Master's degree programmes referred to in Article 7.30a, paragraph 5 and 7.30c of the WHW;
  - i. to agree on joint regulations concerning one or more degree programmes with one or more Deans of other faculties, and
  - j. to determine procedures and criteria for recognising acquired competencies for those who are not enrolled.
2. The Dean has the right to make nominations, as referred to in Article 17, paragraph 3 under d.

*Article 24 Accountability and the provision of information (9.16 of the WHW)*

The Dean is accountable to the Executive Board. He shall provide the board with any information requested concerning the faculty.

*Article 24a Director of Education*

1. In consultation with the Executive Board, the Dean appoints a Director of Education. Under the final responsibility of the Dean, he or she bears responsibility for the quality of education in the faculty.
2. The Director of Education has the following responsibilities and authorities:
  - a. without prejudice to the authority of the Dean, as head of the faculty he or she has operational responsibility for the educational process within the faculty, including in particular:
    - the organisation and quality control of education and associated information and communication technology;
    - the curriculum, the coherence of its content, and its suitability to the demand side of the degree programmes;
    - the faculty's educational policy;
    - budgetary responsibility for the degree programmes.
  - b. providing leadership to the faculties' Directors of Studies and/or staff responsible for equivalent tasks within the faculty;
  - c. participating in consultation between Directors of Education and the member of the Executive Board who holds the portfolio for education and making a contribution to the realisation of the university's strategic educational policy, and its translation within the faculty;
  - d. monitoring and developing the teaching quality of academic staff within the faculty;
  - e. maintaining external contacts in the field of education on behalf of the faculty.
  - f. in close cooperation with the Head of Education & Student Affairs, advising the Dean on topics in the field of education.
3. The Director of Education is accountable to the Dean and is a member of the faculty management team.
4. The position of Director of Education is occupied by a full professor, represents a minimum of 0.5 FTE, and is a four-year temporary post, with a possibility for reappointment.
5. The position of Director of Education leaves the position of Head of Education & Student Affairs unimpeded. The Head of Education & Student Affairs is responsible for the support to the faculty teaching process under the direct leadership of the Dean.

*Article 25 Administration of the degree programme; the Director of Studies (9.17 of the WHW)*

1. For each degree programme in the faculty, the Dean shall appoint a Director of Studies.
2. In the faculty regulations further rules shall be made for the responsibilities of the Director of Studies.
3. The Director of Studies may not be a member of the Board of Studies of the degree programme of which he is director.

*Article 26 Boards of Studies (9.18 of the WHW)*

1. The Dean shall establish a Board of Studies for each degree programme or group of degree programmes in the faculty. The board's responsibilities are:
  - a. to make recommendations on the teaching and examination regulations, as referred to in Article 7.13 of the WHW;
  - b. annually to evaluate the implementation of the teaching and examination regulations, and
  - c. to provide solicited or unsolicited advice to the Director of Studies, as intended in Article 25 paragraph 1, and to the Dean on all educational matters in the degree programme concerned.

The Board of Studies shall inform the Faculty Student Council of the recommendations referred to under a and c.
2. The faculty regulations cover the procedural rules relating to the application of the contents of the first paragraph and govern the appointment procedure and composition of the Board of Studies, on the understanding that half the total number of members of the board shall be drawn from among the students enrolled in the degree programme concerned.
3. If an intended decision on the part of the Dean or Director of Studies must be presented to the Board of Studies with a request for a recommendation, they shall ensure that the Board:
  - a. has the opportunity to discuss the matter before making its recommendation;
  - b. is informed in writing as soon as possible of the way in which its recommendation is to be acted upon.

**5.3 PROFESSORS***Article 27 Appointment of professors*

1. The Executive Board shall appoint the professors at the university.
2. The Dean shall draw up a profile of the chair for which the appointment of a professor is desired and submit it to the Executive Board for approval.
3. After the approval referred to in paragraph 2 has been granted, the Dean shall establish an advisory committee for appointments and submit this decision to the Executive Board for approval.
4. After the approval referred to in paragraph 3 has been granted, the committee for appointments shall draw up a report. On the basis of this report the Dean shall make a reasoned nomination to the Executive Board for the appointment of a professor.
5. The Executive Board shall present the decisions and nomination referred to in paragraphs 2, 3 and 4 to a specially appointed delegation from the body of professors with the request for a recommendation. At all times the Executive Board is entitled to depart from the recommendation of the delegation from the body of professors.
6. The Executive Board shall decide to accept the nomination and proceed to appoint a professor or to reject the nomination.
7. Within the scope of the appointment procedure, the Executive Board may decide, having informed the Dean of the faculty concerned as well as the specially appointed delegation from the body of professors, not to implement the provisions referred to in paragraphs 2 to 5.

**5.4 ENDOWED CHAIRS***Article 28 Authorisation (9.53 of the WHW)*

1. The Executive Board may, after consulting the Board for Doctorates, authorise a legal person with full enjoyment of rights to establish an endowed chair at the university. The resolution to this effect shall state the faculty and scientific field in which the endowed professor is to teach. The Executive Board may limit the authorisation to a specific period.
2. The board of the legal person with full enjoyment of rights must submit a request to the Executive Board to establish an endowed chair.
3. The request referred to in paragraph 2 must be accompanied by:
  - the statute of the legal person
  - the legal document or regulations concerning the establishment of one or more chairs;
  - the reasons for the establishment of the endowed chair;
  - the approval of the Dean of the faculty concerned.
4. Apart from the legally required contents of the request, the statute, legal document or regulations referred to in paragraph 3 should contain the following requirements:

- a. that the chair shall be supervised by a board consisting of at least three members, of whom at least one is a member of the academic staff of the faculty concerned;
- b. that the board of the legal person shall establish an appointments committee, whose members are representatives of the university and/or the faculty concerned;
- c. that before appointing an endowed professor the board of the legal person must first consult the delegation from the body of professors of the university, as referred to in Article 27 paragraph 5, according to the procedure for the appointment of professors.
- d. that the board referred to in the second paragraph shall appoint an endowed professor who does not possess a doctorate obtained at a university in the Netherlands only after receiving the approval of the Executive Board;
- e. that the board referred to in paragraph 2 shall report annually to the Executive Board on the teaching that has taken place during the past year.

#### *Article 29 Recommendation*

The Executive Board shall bring the report referred to in Article 28 paragraph 4 under e to the notice of the Dean of the faculty concerned, the Board for Doctorates and the delegation from the body of professors from the university, as referred to in Article 27 paragraph 5. On the basis of this report these bodies can submit a recommendation to the Executive Board.

### **SUBSECTION 6 COLLABORATION BETWEEN FACULTIES**

#### *Article 30 Areas of cooperation; joint regulations*

1. The faculty administration shall inform the Executive Board immediately on all matters concerning collaboration within the scope of the execution of the faculty's tasks with one or more other faculties of the university, or with one or more faculties of another university or other universities, including the intention or desire to enter into such collaboration.
2. The collaboration referred to in the previous paragraph may relate to matters that include:
  - a. the provision of education by a faculty within the scope of a degree programme in another faculty.
  - b. the joint responsibility of two or more faculties either for all or part of a degree programme or scientific study.
3. Agreements made within the framework of interfaculty collaboration shall be established in writing. For collaboration between faculties of two or more universities, the Executive Boards of the universities concerned must agree on joint regulations according to the provisions of Article 8.1 of the WHW.

#### **6.1 COLLABORATIVE ARRANGEMENTS FOR ACADEMIC PRACTICE**

##### *Article 31 Research schools and research institutes (9.21 and 9.23 of the WHW)*

1. Research institutes and research schools among two or more faculties within the university are to be established according to the Executive and Management Regulations. They are included in Appendix 2 to these regulations. The Executive Board shall regulate the administration, management and organisation of these research institutes and schools.
2. Research institutes and research schools among two or more universities shall be established according to joint regulations in agreement with the Deans of the faculties concerned. These are included with these regulations in Overview 1.

#### **6.2 OTHER COLLABORATIVE ARRANGEMENTS**

##### *Article 32*

For the benefit of educational or research themes determined by the Executive Board, the board may establish interfaculty collaborative arrangements. After consulting with the Deans involved, the Executive Board shall regulate the administration, management and organisation of such arrangements.

##### *Article 33 Research priorities*

The university has recognised research priorities. These are fields of research that are especially promoted by the Executive Board.

**SECTION III MANAGEMENT****SUBSECTION 1 GENERAL PROVISIONS FOR MANAGEMENT***Article 34 Management units and mandates*

1. The faculties and the University Corporate Office referred to in Article 5 and the research institute referred to in Appendix 2 (point 2) of these regulations are designated by the Executive Board as separate management units.
2. The Executive Board shall charge the Dean of the faculty with the management of the faculty as integrated manager, according to the applicable mandate regulations.
3. The Executive Board shall charge the member of the Executive Board who heads the University Corporate Office as referred to in Article 5 paragraph 1 under a to c with the management of this organisation, according to the applicable mandate regulations. The manager of the University Corporate Office is not an integrated manager, but is only responsible for the management of this office.
4. The executive board shall charge the director of research of a research institute as referred to in paragraph 1 with the management of the research institute, according to the applicable mandate regulations.
5. The designation of a management subunit shall take place through the Executive Board in response to a proposal by the manager concerned.
6. In accordance with Article 9.22 paragraph 2 of the WHW, the Executive Board may designate a research institute or research school as separate management unit.
7. In carrying out their duties the managers are accountable to the Executive Board. They must provide the Executive Board with any information requested.
8. On the approval of the Executive Board, the managers may charge staff under their management with the responsibility for the management of a management subunit designated according to paragraph 6 of this article.

*Article 35*

The implementation of the management mandates referred to in Article 34 paragraph 2 to 5 shall take place according to the relevant provisions of the Dutch Administrative Law Act, the WHW and the TU Delft mandate regulations.

*Article 36 Guidelines*

The Executive Board shall provide the managers with guidelines and instructions concerning the implementation of their management powers.

**SECTION IV REPRESENTATION****SUBSECTION 1 UNIVERSITY LEVEL***Article 37 Works Council*

1. The university shall have a Works Council. The works council shall function according to the provisions of the Works Councils Act (WOR) and the regulations for the works council referred to in Article 8 of this act.
2. The Executive Board shall provide for the secretarial support of the works council.
3. The Works Council shall draw up regulations on the basis of Article 8 of the WOR. Before enacting these regulations, the Works Council shall provide the Executive Board with the opportunity to make its views known.

*Article 38 Student Council*

1. The university shall have a Student Council according to the provisions of 9.30 paragraph 3 of the WHW.
2. The Executive Board shall provide for the secretarial support of the Student Council.
3. The Executive Board shall draw up regulations for the Student Council, in accordance with the provisions of Article 9.34 of the WHW. At minimum these shall regulate, the size, jurisdiction, method of election and elected term of this council. The Executive Board shall submit these regulations and any amendment to them as a proposal to the Student Council and shall not enact them unless the proposal has obtained the approval of two thirds of the total number of members. The regulations require the approval of the Supervisory Board.

*Article 39 Joint meeting of the Works Council and Student Council*

1. The university shall have a joint meeting comprising the members of the Works Council and Student Council.
2. In accordance with the provisions of Article 9.30a paragraph 3 of the WHW, the Executive Board shall draw up regulations for the joint meeting. At minimum these shall regulate the jurisdiction of the meeting and the way in which students and staff are able to have equal influence on decision making in the meeting.
3. The Executive Board shall submit these regulations and any amendment to them as a proposal to the joint meeting and shall not enact them unless the proposal has obtained the approval of two thirds of the total number of members of the meeting.

**SUBSECTION 2 FACULTY LEVEL AND UNIVERSITY CENTRES***Article 40 Staff representation*

1. The works council may make further provisions for staff representation in management units.
2. If the Works Council has established a subcommittee in a management unit, the manager shall provide for its secretarial support.
3. The authority of the subcommittee to consult with the manager is based on Article 15 paragraph 3 of the WOR and the associated mandate of the Works Council.

*Article 41 Student councils at faculty level*

1. Each faculty shall have a student council. Furthermore, the Faculty of Technology, Policy and Management shall have a users' council for the benefit of the service teaching provided by this faculty.
2. The Dean, as referred to in Article 19, shall provide for the administrative support of the councils referred to in paragraph 1.
3. The jurisdiction of the student councils at faculty level is stated in the faculty regulations. The jurisdiction of the users' council referred to in paragraph 1 is stated in the council's statute.

**SECTION V LEGAL PROTECTION***Article 42 Joint facility for legal protection for students*

1. There is a joint facility for the legal protection of students, as referred to in Article 7.59a of the WHW, whereby anyone affected, as referred to in Article 7.59a, paragraph 3 of the WHW may lodge an objection or appeal.
2. The joint facility is subdivided into the dealing of complaints on the one hand, and dealing with objections and appeals on the other.
3. Information about access to the facility is given in the Student Charter and on the TU Delft website.
4. The procedure by which a complaint submitted by a student is dealt with is described in greater detail in Appendix 3, which forms part of these regulations.
5. The procedure by which an arbitration committee, as referred to in Article 7.63a of the WHW, gives its view on an objection lodged by a student is described in greater detail in Appendix 4, which forms part of these regulations.

*Article 43 Examination Appeals Board*

1. There is an examination appeals board, as referred to in Article 7.60 of the WHW, that shall decide on appeals submitted by any party, as referred to in Article 7.61, paragraph 1, of the WHW.
2. The examination appeals board shall, with the approval of the Executive Board, draw up procedural regulations as meant by Article 7.62 of the WHW.

*Article 43a Advisory Committee for objection by employees and third parties*

1. There is an advisory committee for dealing objections lodged by employees and third parties.
2. The Executive Board shall further regulate the composition and working method of the committee.

**SECTION VI CONFIDENTIALITY***Article 44*

1. Regarding matters raised either verbally or in writing in a closed meeting or closed part of a meeting of a management or representative body or committee of the university and its divisions, a confidentiality requirement shall apply to members of these bodies and non-members who are attending the meetings.
2. The confidentiality requirement may only be lifted by a decision of the management or representative body or committee concerned.

*Article 45*

A confidentiality requirement shall apply to those persons who by virtue of their membership of a management or representative body or committee have knowledge of matters relating to the administration or management of the university which they might reasonably surmise to be confidential.

*Article 46*

The confidentiality requirement shall not end when a person ceases to be a member of the body or committee concerned.

## **SECTION VI FINAL AND INTERIM PROVISIONS**

### *Article 47 Internal regulations*

Rules, regulations, guidelines and instructions drawn up by the University Council or Executive Board prior to these regulations coming into force pursuant to the WHW, or the Delft University of Technology Executive Regulations, or the Delft University of Technology General Management Regulations 1989, shall remain in force provided they are not at variance with the provisions of the WHW or these regulations. These rules, regulations, guidelines and instructions shall be deemed to have been enacted by the Executive Board from the time at which they come into force.

### *Article 48 Commencement*

These regulations and/or amendments to them come into force as of the day on which the approval of the Supervisory Board, as referred to in Article 9.8 paragraph 2 of the WHW, is obtained.

### *Article 49 Citation*

These regulations may be cited as the 'Delft University of Technology Executive and Management Regulations' abbreviated in English to 'TU Delft EMR' and in Dutch to 'BBRTU Delft'.

## **APPENDIX 1**

referring to Article 12 paragraph 6 of the TU Delft Executive and Management Regulations

### **PROCEDURE FOR THE NOMINATION AND APPOINTMENT OF THE RECTOR MAGNIFICUS**

#### *Article 1*

The Supervisory Board shall appoint the Rector Magnificus on the nomination of the Executive Board.

#### *Article 2*

One year prior to the appointment or reappointment of the Rector Magnificus, the Executive Board shall request the delegation from the body of professors, as referred to in Article 27, paragraph 5 of the Delft University of Technology Executive and Management Regulations, to begin the nomination procedure.

#### *Article 3*

The Supervisory Board shall draw up a profile for the appointment of the Rector Magnificus, on the basis of a recommendation from the Executive Board, which to this end shall seek the advice of the delegation from the body of professors referred to in Article 2.

#### *Article 4*

The delegation from the body of professors, as referred to in Article 2, shall enquire of the serving Rector Magnificus whether he or she is willing to be eligible for reappointment. If this is the case, the delegation from the body of professors referred to in the first sentence above shall report this to the Executive Board and inform the board of its opinion on the reappointment. In the case of reappointment, Articles 5 and 6 do not apply. If the serving Rector Magnificus does not wish to be eligible for reappointment, the delegation from the body of professors referred to in the first sentence above shall draw up a confidential list of candidates in order to select where possible three candidates for an initial interview.

#### *Article 5*

The delegation from the body of professors, as referred to in Article 2, shall hold exploratory interviews with the selected professors referred to in the last sentence of Article 4, in order to gain further insight regarding their suitability and willingness for candidacy for or appointment to the position of member of the Executive Board and Rector Magnificus.

#### *Article 6*

The delegation from the body of professors, as referred to in Article 2, shall propose a candidate, or two candidates in an order of preference, to the Executive Board.

#### *Article 7*

The Executive Board shall hold interviews with the candidates proposed and decide on the final nomination to the Supervisory Board for the appointment.

#### *Article 8*

The Executive Board shall make a reasoned nomination to the Supervisory Board.

#### *Article 9*

The procedure should be completed within such a period that the appointment may be made in good time for the person appointed to take up the post and the name of the Rector Magnificus designate to be made public.



## **APPENDIX 2**

referring to Article 31 paragraph 1 of the TU Delft Executive and Management Regulations

TU Delft has the following interfaculty research schools and research institutes:

### **1. Research schools:**

(KNAW recognised)

The research school the **Delft Institute for Microelectronics and Submicron Technology (DIMES)**, established via an amendment to the TU Delft Executive and Management Regulations originally between the Faculty of Electrical Engineering and the Faculty of Applied Physics, now between the Faculty of Electrical Engineering, Mathematics and Computer Science and the Faculty of Applied Sciences.

### **2. Research institutes:**

The research institute OTB, among the Faculty of Architecture, the Faculty of Technology, Policy and Management, and the Faculty of Civil Engineering and Geosciences.

**OVERVIEW 1**

referring to Article 31 paragraph 2 of the TU Delft Executive and Management Regulations

On the basis of agreements or common regulations with other universities, TU Delft participates in the following research schools.

**I. Research schools coordinated by TU Delft (KNAW recognised)**

- a. the Research school for Fluid Mechanics, the J.M. Burger Centre, established via the agreement of 1 June 1992 among the executive boards of TU Delft, Eindhoven University of Technology, the University of Groningen and the University of Twente.
- b. The research school Biotechnological Sciences Delft Leiden (BSDL) established via the agreement of 22 December 1993 among the executive boards of TU Delft, Leiden University and Wageningen University.
- c. the research school Integrated Construction for the Building Industry (BOUW) (Integral Construeren voor de Bouw), established via the agreement of 20 December 1993 among the executive boards of TU Delft, Eindhoven University of Technology and the University of Twente.
- d. the research school Centre for Technical Geoscience (CTG) established via the agreement of 22 December 1993 between the Executive Board of TU Delft and the board of the International Institute for Aerospace Survey and Earth Sciences.
- e. the research school Advanced School for Computing and Imaging (ASCI) established via the agreement of 20 December 1993 among the executive boards of TU Delft, VU University Amsterdam, the University of Amsterdam and Leiden University.
- f. the research school Systems and Control (DISC) established via the agreement of 9 February 1995 among the executive boards of TU Delft, Eindhoven University of Technology and the University of Twente.
- g. the research school Transport, Infrastructure en Logistics (TRAIL) established via the agreement of 7 March 1994 among the executive boards of TU Delft, Erasmus University Rotterdam and the University of Groningen.

**II. Participation in research schools coordinated by another university: (KNAW recognised)**

- a. the research school the Dutch Institute for Catalysis Research (NIOK), established by the agreement of July 1992 among the executive boards of the University of Amsterdam, the University of Groningen, Leiden University, Utrecht University, TU Delft, Eindhoven University of Technology and the University of Twente.
- b. the National School in Process Technology (OSPT) established via the agreement of 30 October 1992 among the executive boards of the University of Groningen, the University of Amsterdam, TU Delft, Eindhoven University of Technology, the University of Twente, and Wageningen University.
- c. the research school the Netherlands Graduate School of Housing and Urban Research (NETHUR) established by the agreement of 26 January 1994 among the executive boards of Utrecht University, the University of Amsterdam, TU Delft and Eindhoven University of Technology.
- d. the research school Thomas Stieltjes Institute for Mathematics (SIMATH), established via the agreement of 18 May 1994 among the executive boards of Leiden University, the University of Amsterdam, VU Amsterdam, TU Delft and Erasmus University Rotterdam.
- e. the research school the Euler Institute for Discrete Mathematics and its Applications (EIDMA), established via the agreement of 2 May 1994 among the executive boards of Eindhoven University of Technology, TU Delft and the University of Twente.
- f. the research school for Integrated Biomedical Engineering (IBME), established via the agreement of December 1994 among the executive boards of the University of Twente, TU Delft, and the Catholic University of Nijmegen (Radboud University Nijmegen) and Leiden University.
- g. the research school the Vening Meinesz Research School of Geodynamics (VMSG), established via the agreement of 25 January 1996 between the executive boards of Utrecht University and TU Delft.
- h. the research school for the Structure and Function of Biomacromolecules (BIOMAC) established via the agreement of 25 January 1994 between the executive boards of

Leiden University and TU Delft.

- i. the Netherlands Institute of Government (NIG) established via the cooperation agreement of December 1995 between the executive boards of the University of Twente and TU Delft.
- j. the research school for Engineering Mechanics, established via the cooperation agreement of 4 February 1997 among the executive boards of Eindhoven University of Technology, TU Delft, and the University of Twente.
- k. The research school the National Dutch Graduate School of Polymer Science and Technology (PTN), established via the agreement of 23 March 1994 among the executive boards of Eindhoven University of Technology, Leiden University, Wageningen University, TU Delft and the University of Groningen.
- l. the research school the Dutch Research School for Information and Knowledge Systems (SIKS), established via the agreement of 25 September 1995 among the executive boards of the University of Amsterdam, VU Amsterdam, University of Limburg (Maastricht University), the Catholic University of Nijmegen (Radboud University Nijmegen), Eindhoven University of Technology and TU Delft.
- m. the Research School of Integrated Manufacturing (IPV), established via the agreement of 2000 among the executive boards of the University of Twente, Eindhoven University of Technology and TU Delft.

#### Appendix 3

with the TU Delft EMR (Article 42, paragraph 4): TU Delft Student Complaint Regulations (is included separately, as Appendix 7, in Part 3 of the 2011/2012 Student Charter)

#### Appendix 4

with the TU Delft EMR (Article 42, paragraph 5): TU Delft Student Objections Committee Regulations (is included separately, as Appendix 8, in Part 3 of the 2011/2012 Student Charter)

Based on its general responsibility for health, safety and welfare in relation to the work and study activities at the university, the Executive Board does not consider it desirable that students, staff members or other users of or visitors to the university campus exhibit the undesirable behaviour as described in these regulations. The Executive Board has therefore laid down these regulations in order to combat such behaviour.

## **I. General**

### *Article 1 (definitions)*

1. The following terms are to be defined thus:
  - a. complainant: the person referred to in Article 3, who turns to the confidential advisor or the complaints committee with a complaint about undesirable behaviour;
  - b. accused: the person referred to in Article 3, who is accused of undesirable behaviour;
  - c. confidential advisor: the person referred to in Article 4;
  - d. committee: the complaints committee as referred to in Article 11;
  - e. employee: person who is employed by TU Delft or who otherwise performs academic work on behalf of the university;
  - f. student: person who is registered as such at TU Delft;
  - g. code of conduct: the code of conduct regarding intimidation, sexual harassment, aggression, violence and discrimination, as recommended by the parties to the Collective labour agreement, from 2 February 2000 (VSNU/WG/00.0165U).
2. Undesirable behaviour is defined thus in the scope of this regulation: behaviour exhibited by an employee or student that is related to work or study at TU Delft and that causes psychological or physical harm to another employee or student and that can be regarded in a societal and objective sense as inappropriate, annoying, harassing, threatening or unacceptable, including and as specified in the code of conduct:
  - intimidation or sexual harassment
  - discrimination
  - aggression and violence
  - threats
  - bullying
  - gossip.

### *Article 2 (code of conduct)*

1. The code of conduct, taken together with this regulation, is the code of conduct for TU Delft in accordance with Article 1.12, paragraph 3 of the Collective labour agreement.
2. Employees or student shall refrain from engaging in undesirable behaviour and shall adhere to the code of conduct.

### *Article 3 (general)*

Anyone who experiences undesirable behaviour from an employee or student in a work or study situation at the university may turn to a confidential advisor or the complaints committee.

## **II. The confidential advisor for undesirable behaviour**

### *Article 4 (appointment)*

The Executive Board shall appoint one or more trusted confidential advisors for undesirable behaviour from among the staff of the university. Complainants may turn to these individuals. Appointments are for three years with the possibility of renewal.

### *Article 5 (tasks)*

The confidential advisor's tasks include:

- a. counselling and advising a complainant who turns to him/her;
- b. attempting to resolve the complaint through intervention, if necessary by appointing a mediator;
- c. assisting a complainant in submitting a complaint to the complaints committee, if requested to do so.

### *Article 6 (accountability)*

The confidential advisor is accountable to the Executive Board for the execution of his/her duties.

*Article 7 (confidential file)*

The confidential advisor shall keep a file on each complaint for their own use and for reporting purposes as referred to in Article 8. The confidential advisor shall divulge no information from the file other than with the express consent of the complainant. The file shall be destroyed two years after conclusion of the complaints procedure.

*Article 8 (report)*

The confidential advisor shall report annually to the Executive Board on the number and nature of the reported complaints, and how they have been dealt with.

*Article 9 (facilities)*

1. Confidential advisors perform their duties in addition to their regular work. Confidential advisors shall confer with their supervisors on the coordination of their tasks. The Executive Board shall ensure a reasonable balance between regular duties and the tasks required of the confidential advisor.
2. The Executive Board shall ensure that confidential advisors have sufficient means to do their duties properly, including fulfilling the requirements of confidentiality.
3. The Executive Board shall ensure that students and employees are aware of the purpose of the confidential advisors and how to reach them.

*Article 10 (dismissal from office)*

1. The confidential advisor may be dismissed from office if, after a formal hearing, he or she is shown to be obviously inadequate for the task, if he or she abuses the powers of the office of confidential advisor or if the Executive Board has other compelling reasons for removing him/her from office.
2. The confidential advisor may be relieved of his/her duties at any time at his/her own request.

### **III. Complaints committee**

*Article 11 (appointment)*

- a. The Executive Board shall appoint a complaints committee for undesirable behaviour. The committee advises and rules on complaints about undesirable behaviour as referred to in this regulation.
- b. The committee is composed of a chairman and a deputy chairman, both also members of the committee, two staff members and two students. At least one of the members and at least one of the student members shall be a woman. At least one member shall have a law degree.
- c. Three members shall be involved in advising on any complaint, including the chairman or deputy chairman, and in any case at least one woman. If the complaint involves a student, then a student member will also sit on the complaints committee for the case in question.
- d. The hearing may be conducted by the chairman or deputy chairman or a member who is not a member of the Executive Board nor who works under the auspices of the Executive Board, if the chairman, deputy chairman or one or more members is unable to be present at the appointed hour of the hearing.
- e. The chairman, deputy chairman and members are appointed by the Executive Board for a maximum term of three years. They may be reappointed after this term.
- f. Members of the Executive Board, members of the Supervisory Board, faculty Deans, departmental directors, the directors of the teaching and research institutes, the university service directors and the confidential advisors are not eligible for appointment to the complaints committee.

*Article 12 (appointment requirements)*

The chairman and deputy chairman may not be employed by or study at TU Delft.

*Article 13 (dismissal)*

1. The chairman, deputy chairman and members may be dismissed from the committee by the Executive Board after the hearing if shown to be obviously inadequate for the task, or if the Executive Board has other compelling reasons for removing them from office.
2. The chairman, deputy chairman and members may be dismissed from the committee at any time at their own request.

*Article 14 (secretariat)*

1. The Executive Board shall appoint a secretary and one or more replacement secretaries to assist the committee.
2. The secretary and replacement secretary shall not be members of the committee.

*Article 15 (remuneration)*

The chairman, deputy chairman and members have the right to appropriate remuneration, to be established by the Executive Board, and as long as they are not employed by TU Delft.

*Article 16 (duties of the committee)*

1. The committee inspects complaints as referred to under Article 3.
2. The committee advises the Executive Board on the admissibility of complaints.
3. The committee advises the Executive Board on the merits of complaints it has dealt with and any (disciplinary) actions taken pursuant to the complaints.
4. The committee is an independent body.
5. The committee submits an annual report on its activities to the Executive Board.
6. The members and alternate members of the committee shall maintain confidentiality in all matters related to the complaints procedure.

*Article 17 (powers of the committee)*

1. The committee is authorised to gather information from all university agencies and employees. The committee may inspect all documentation and correspondence it deems necessary for assessing the complaint.
2. The committee may consult independent or university-affiliated experts. Reports shall be written on these consultations.
3. The committee shall keep a file on all complaints it addresses. All information in the file shall be kept in the strictest confidence and will only be disclosed with the express consent of the parties concerned.

*Article 18 (employee cooperation and confidentiality)*

1. All individuals are required to cooperate with the committee within a reasonable period set by the committee to a degree that can reasonably be expected for the committee to properly exercise its powers.
2. All individuals who are involved in a complaints procedure shall maintain strict confidentiality all aspects of the complaints procedure.

#### **IV. Complaints procedure**

*Article 19 (admissibility requirements)*

1. The committee shall address complaints that meet the following requirements:
  - a. the complaint must be submitted in writing;
  - b. the written complaint must be signed and include at least:
    - the name and address of the person submitting the complaint;
    - the date;
    - a clear description of the undesirable behaviour.
2. If the complaint is submitted in a foreign language and the committee requires a translation, then the complainant shall bear the translation costs.

*Article 20 (processing the complaint)*

1. The Committee shall acknowledge receipt of the written complaint, indicating that the committee will advise the Executive Board. The committee shall advise the Executive Board, the accused and the Dean of the faculty or director where the accused is employed or studies of the complaint.
2. If one or more of the requirements in Article 19 is not met, the Executive Board will not be able to address the complaint upon the advice of the committee, as long as the complainant has been given the opportunity to correct the omission within a pre-determined time.
3. After being advised by the committee, the Executive Board may rule that the complaint cannot be addressed if:
  - the complaint relates to behaviour that has already been the subject of a complaint that has been addressed by the Executive Board;
  - the complaint relates to behaviour that took place more than five years before the complaint was filed;
  - if the alleged undesirable behaviour is clearly benign.
4. The committee (or the Executive Board in the case of rulings in accordance with the second and third paragraph) shall inform the complainant whether the complaint will be addressed as soon as possible but no later than four weeks after receipt of the complaint, or after the omission has been corrected or at the conclusion of the period referred to in the second paragraph. The accused and the Dean of the faculty or director where the accused is employed or studies shall also be notified.
5. If the complaint concerns a member of the Executive Board, the Supervisory Board will take the place of the Executive Board with regard to the rulings as referred to in the second and third paragraphs.
6. If the complaint is admitted by the committee, then a copy of the written complaint and the related documents will be sent to the accused.
7. The complaint shall be handled only by committee members who are in no way involved in any aspect of the factual circumstances of the complaint.

*Article 21 (amicable settlement)*

1. The committee, after consultation with the parties involved, may attempt to ascertain whether an amicable settlement is possible.
2. If an amicable settlement is reached, then the committee shall immediately terminate the complaints procedure. The complainant, the accused, the Executive Board and the Dean of

the faculty or director where the accused is employed or studies shall also be notified by the committee.

*Article 22 (withdrawal)*

1. The complaint may be withdrawn at any time.
2. If the complaint is withdrawn, the committee shall immediately terminate the complaints procedure. The accused, the Executive Board and the Dean of the faculty or director where the accused is employed or studies shall also be notified by the committee.

*Article 23 (concession)*

Once the accused has appeased the complainant, the committee shall immediately terminate the complaints procedure. The complainant, the accused, the Executive Board and the Dean of the faculty or director where the accused is employed or studies shall also be notified by the committee.

*Article 24 (hearings)*

1. The committee hears the parties with regard to the complaint. In any event, the committee provides both complainant and the accused with the opportunity of a hearing.
2. The hearing may be waived if the complaint is manifestly unfounded or if the complainant or the accused has declared not to wish to exercise the right to a hearing.
3. Hearings shall be held individually and in person. In certain special circumstances the committee may decide that the complainant and the accused will be heard in each other's presence.
4. Hearings shall not be held in public.
5. A report of the hearing shall be made.
6. Each party has the right to be apprised of any proceedings outside their presence.

*Article 25 (reporting to the Executive Board)*

1. The committee shall, within ten weeks of receiving the written complaint, send a report to the Executive Board detailing its findings in respect to the complaint. The report will be accompanied by advice and any potential recommendations, along with a report of the hearing.
2. The period shall be suspended as of the date on which the complainant is requested to correct an omission as referred to in Article 20, second paragraph, until the day on which the omission is corrected or the specified period has elapsed.
3. The committee shall report on the merits of the complaint and offer advice on any (disciplinary) action to be taken.

*Article 26 (ruling of the Executive Board)*

1. Within four weeks of receiving the committee's report, the Executive Board shall rule on the complaint and any (disciplinary) measures to be taken. The Executive Board shall inform the complainant, the accused, the committee and the Dean of the faculty or the director where the accused is employed or studies of the ruling in writing. A copy of the committee's report shall be included.
2. If the ruling of the Executive Board deviates from the advice of the committee, then the ruling will contain an explanation for the deviation.
3. If the complaint concerns a member of the Executive Board, then the Supervisory Board shall take the place of the Executive Board with regard to the ruling as referred to in the first paragraph.

## **V. Final provisions**

*Article 27 (legal protection)*

A complainant or a confidential advisor who is involved in a complaints procedure as referred to in this regulation shall not be impaired in his/her position at the university as a result of his/her involvement with a complaint, insofar as he/she has acted in good faith.

*Article 28 (withdrawal)*

The TU Delft Regulations for complaints about undesirable behaviour is repealed.

*Article 29 (Commencement)*

These Regulations enter into force with effect from the first day following the date on which the President of the Executive Board signs these Regulations.

*Article 30 (citation)*

These Regulations shall be referred to as the TU Delft Regulations for Complaints Concerning Undesirable behaviour.

## EXPLANATORY NOTES

### General

#### History

The TU Delft Regulations for complaints about undesirable behaviour came into effect on 1 September 2001. A Confidential advisors protocol has been added to the regulation. The value of the regulation has been established time and again: many employees and students have turned to the confidential advisors, making them an invaluable part of the TU Delft community. Complaints have been sporadically filed and processed in recent years. The Executive Board fully agrees with the need for, and objectives of a regulation on undesirable behaviour (as expressed in the Collective labour agreement for Dutch universities), but acknowledges that the current regulation needs to be updated.

#### Collective labour agreement and Occupational safety and health act

Article 1.12 of the Collective labour agreement for Dutch Universities of 1 September 2007 to 1 March 1 2010 (CAO NU) expresses the objective of eliminating undesirable behaviour. Undesirable behaviour is defined thus in the scope of this regulation: bullying, discrimination or (sexual) harassment; in implementing the regulation, the employer is to appoint a confidential advisor as the first point of contact for those experiencing undesirable behaviour. Furthermore, the employer must establish a code of conduct to combat undesirable behaviour, as recommended by all the parties to the Collective labour agreement. This recommendation is from 2000, and has been designated as the applicable code of conduct for TU Delft by the Executive Board (see Article 2).

In a 2007 amendment to the Occupational safety and health act, Article 3, paragraph 2, the employer is required to implement policies aimed at preventing or otherwise reducing the psychosocial burden on employees, including exposure to undesirable behaviour which may cause stress. Article 1.12 of the Collective labour agreement for Dutch universities and the TU Delft Regulations for Complaints Concerning Undesirable Behaviour may be seen as an acknowledgement of Article 3, paragraph 2 of the Act. Neither the Act nor the Collective labour agreement require the establishment of a complaints procedure, but the establishment of a code of conduct and the appointment of a confidential advisor can be seen as one of the measures that an employer can take to combat undesirable behaviour.

Both the old and the new regulations apply to students as well: not only because the Act has a broader scope than just employees, but also because the Executive Board is committed to combating undesirable behaviour among employees and students alike.

#### Comparison of the old and new regulations

The Regulations for complaints about undesirable behaviour contained some less-than successful elements:

Its scope extended beyond the TU Delft community and the regulation also applied to visitors or users (e.g. third parties who perform work on campus) on the grounds of TU Delft. The jurisdiction of the Executive Board does not allow this body to handle complaints against third parties, however. Obviously, visitors and users must also behave properly on TU Delft property, but this must be ensured through other means, e.g. through terms and conditions.

The composition of the advisory board (complaints committee) was cumbersome: a case had to be handled by five people, representing various groups. Under the new regulation, a case is handled by 3 people, including at least one woman and one student if a student is involved in the complaint. The coordination between work of the confidential advisor and the committee was unclear. The new regulation is far more explicit about the confidential advisor's function as first point of contact. The complaints regulation was not written with the General Administrative Law Act (AWB) in mind, nor did it chime with the TU Delft Regulations on Academic Integrity.

Other than being a vast improvement on the points mentioned above, new elements in the amended regulation include:

A norm or code of conduct as prescribed by the Collective labour agreement for Dutch universities. This is an acknowledgement of the little-known recommendations for a code of conduct by parties to the collective labour agreement in 2000. The new regulation includes the norm-complaint-penalty trio, as is the case with the Regulation on Academic Integrity. The two regulations have been made as uniform as possible.

The regulation is in fact completely new, giving rise to the need to change the title: Regulations for complaints concerning undesirable behaviour.

As this regulation largely concerns a complaints procedure, the approval of the works council was required in accordance with Article 27, paragraph 1, part j, of the Works Councils Act.



## Article by article

### *Articles 1-3: general, scope*

With regard to the code of conduct, the definition of terms refers to the code of conduct from 2000 as recommended by the parties to the Collective labour agreement (VSNU publication). This code of conduct is more explicit about the definition of undesirable behaviour, which is described in Article 1, second paragraph. The VSNU code of conduct applies as the code of conduct for TU Delft employees, and students are expected to adhere to it as well (Article 2).

The scope of the regulation is restricted to employees in their capacity as employees and students in their capacity as students (Article 1, paragraph 2, and Article 3). The concept of 'employee' covers more than just those who have a position of employment at the university: those who work on a different basis for TU Delft, such as guest lecturers, retired professors or fellows, are also subject to the provisions of the regulation. These individuals will generally have a courtesy privileges declaration (also known as a hospitality declaration), which is a good indicator for whether someone is covered by the regulation. Student conduct that is not study-related (e.g. activities in dormitories) is not covered by this regulation. An employee or student who is confronted by undesirable behaviour may turn to a confidential advisor or the complaints committee. The confidential advisor does not necessarily have to be the first point of contact. However, it is certainly handy if people turn to the confidential advisor first, and experience has shown that this tends to be the case.

### *Article 4-12: The confidential advisor*

The confidential advisor is appointed by the Executive Board, is accountable to the Executive Board and may be removed from office by the Executive Board (Articles 4, 6, 8 and 10). The confidential advisor enjoys legal protection (see Article 27) and is provided with all necessary facilities for executing his/her duties (see Article 9). The confidential advisor may be the first point of contact for the complainant if the complainant feels that he/she has been the victim of undesirable behaviour. The confidential advisor may assist the complainant, contact a mediator if necessary and help the complainant to submit a formal complaint to the complaints committee. The confidential advisor's role does not extend to mediating between employee/ student and supervisor/faculty (Article 5). The confidential advisor keeps a file on the complaint for his/her own use. Information from this file is provided to others only with the express consent of the complainant (Article 7).

### *Article 11-18: the complaints committee*

The complaints procedure is consistent with the provisions of Chapter 9 of the General Administrative Law Act and the Academic Integrity Regulations of TU Delft. The explanatory notes below are taken from the notes on the latter regulation.

### *Articles 11 and 12*

The complaints committee for undesirable behaviour consists of six members, including the chairman and deputy chairman and two student members. Some of the committee members should be women, given the nature of the issues the committee deals with. Cases are handled and recommendations made by three members, including the chairman or deputy chairman and at least one female member. If the complaint involves a student as the complainant or the accused, then one of the three members of the investigating committee shall be a student. One of the members must have a law degree.

The committee's independence is assured by the provision that the chairman and deputy chairman may not be employed by TU Delft nor may they be students at the university (Article 12). Furthermore, investigating members may not be involved in the alleged undesirable behaviour. The committee's independence is also assured by Article 16, paragraph 4, which prohibits the Executive Board from interfering in a complaints procedure in any way whatsoever.

### *Article 16, paragraph 5*

The report must contain the number and nature of complaints and a description of how they were processed. The report may also contain recommendations for preventing undesirable behaviour. The annual report is made public, however all names of individuals are anonymised.

### *Article 17*

The committee is authorised to gather information from all university agencies and employees. Individuals are obliged to cooperate with the committee (Article 18). The committee is authorised to remove privacy-sensitive data, either at the request of the complainant or otherwise, as long as this does not compromise the defence principle. Complaints may only be anonymised if the defence principle is not violated.

The Personal data protection act (Wbp) applies to the retention of records.

### *Article 18*

The duty to cooperate ensures that the committee can make effective use of its powers to gather information. It is important to ensure confidentiality in these sensitive complaints procedures (also see Article 17, paragraph 3 for the committee members).

## Articles 19-26: the complaints procedure

### *Articles 19, 20 paragraphs 2 and 3; 24, 25 paragraph 1; 26 paragraph 1*

Complaints are always submitted to the committee, which first forms an opinion on the admissibility of the complaint. If the written complaint does not indicate the occurrence of undesirable behaviour within the university community (see Article 3) or if it does not fulfil the requirements set forth in Article 19 or if there is a situation as referred to in Article 20, paragraph 3, then the Executive Board may rule that the complaint is inadmissible. The committee provides the Executive Board with a recommendation on admissibility. A complaint shall not be considered to be a repeated complaint as referred to in Article 20, paragraph 3 a, if there are new facts and circumstances that shed new light on the earlier complaint.

The committee shall subject the complaint to a substantive review only if the complaint is admissible. The committee shall consider whether the complaint does in fact concern undesirable behaviour. In order to determine this, hearings will be required in these cases. If, however, the written complaint itself clearly shows that the petitioner's complaint is unfounded and there is no reasonable doubt to that conclusion, then no hearing shall be required. This also applies if the complainant or the accused has waived his/her right to a hearing. The committee advises the Executive Board on the admissibility of a complaint and any (disciplinary) action to be taken pursuant to the complaint. The Executive Board shall issue a ruling on the complaint within four weeks. The entire procedure may take up to 14 weeks, corresponding to the provisions of the General administrative law act (AWB) (10 weeks, with possibility of four weeks' continuance). The maximum duration of the procedure in the Academic Integrity regulation of TU Delft is two weeks longer due to the nature of the complaints in that regulation.

### *Articles 21, 22 and 23*

The complaints procedure may be stopped at any time if a solution is found that is satisfactory to the complainant. This provides for a quick and informal way of handling complaints. The complainant's opinion is decisive, but the committee or the Executive Board may take the initiative. The complainant's appeasement may be made known informally and is not bound by any procedural rules. In case of doubt, it is recommended to request that the complainant provide written confirmation of appeasement and withdrawal of the complaint. If the complaint is withdrawn, then the complaints procedure will be terminated.

### *Article 24, paragraph 2*

The complainant may waive his/her right to a hearing in writing or orally (including by telephone). If the complainant is otherwise appeased, then the procedure will be terminated pursuant to Article 23. A hearing is required if there are doubts about the motives of the complainant.

### *Articles 24, paragraphs 3, 4 and 6*

Hearings shall be confidential and the parties are not normally heard each other's presence. However, parties will be informed of the issues that the other party has raised, so they can then react (principle of fair hearing).

### *Article 24, paragraph 5*

The report must contain an outline of the main points dealt with during the hearing; the report is sent with details of the committee's findings (Article 25).

### *Article 26, paragraph 1*

The Executive Board shall specify whether the complaint is admissible or inadmissible. Various (disciplinary) measures may be imposed if the accused is found guilty of undesirable behaviour. These measures are subject to civil and labour legislation as applies to the employer-employee relationship between the university on the one hand and the employees on the other, or based on the provisions that apply between the student and the university as the case may be. Any measures to be imposed must be in compliance with this legislation. This implies that appeals may be lodged against the conclusions of complaints procedures involving employees or students. The ruling on the complaint itself cannot be appealed. Other complaints procedures may be available, e.g. by contacting the National Ombudsman, if one party is not satisfied with the way the complaint has been handled by the Executive Board. When issuing its ruling, the Executive Board will inform parties about the possibilities for objection and appeal.

### *Article 27: legal protection*

This article provides assurances for the complainants and confidential advisors: submitting or being involved in a complaint shall not impair their legal position at TU Delft.

**I. Handling complaints, general***Article 1 (definition)*

For the purpose of these regulations, 'student' is defined as a student, prospective student, a former student, an external student, a prospective external student or a former external student at TU Delft.

*Article 2 (scope of application)*

These regulations do not apply to complaints as meant in the TU Delft Regulations for Complaints about Undesirable Behaviour or the Academic Integrity Regulations.

*Article 3 (submission and processing)*

1. Any student may submit a complaint to the Executive Board about the way in which any administrative body or person employed by TU Delft has behaved towards him/her or any other person in any given situation.
2. The complaint will be coordinated by the section of the management that is charged with Education & Student Affairs, and which functions as the joint legal protection facility for dealing with complaints.
3. The complaint will be dealt with by the Dean of the student's study programme, under the coordination of said management section, or by the director of the management of the university division against which the complaint is directed.
4. If the section of the management referred to in paragraph 2 is of the opinion that the nature of a written complaint is such that it should be dealt with by the student ombudsman, the complaint shall be forward to the latter.

*Article 4 (verbal complaints)*

The management section referred to in Article 3, paragraph 2, shall ensure that verbal complaints are dealt with in the appropriate fashion.

*Article 5 (written complaints)*

Written complaints shall be dealt with in according to the procedure described in Articles 9:4 to 9: 12a of the General Administrative Law Act.

**Section II. The Student Ombudsman***Article 6 (complaints dealt with by the Student Ombudsman)*

1. If a student does not agree with how his or her written complaint has been dealt with, he or she may submit a complaint to the Student Ombudsman, who is charged with the task of advising on complaints as referred to in Article 9:14 of the AWB.
2. Complaints shall be dealt with in second instance or in first instance, as referred to in Article 3, paragraph 4, in accordance with Articles 9:15 to 9:16 of the AWB.

*Article 7 (appointment and independence of Student Ombudsman)*

1. The Student Ombudsman may be appointed, suspended or dismissed by the Executive Board on the recommendation of a confidential committee of the Student Council.
2. After consultation with the Student Ombudsman, a deputy may be appointed to carry out the duties of the Student Ombudsman during his or her absence.
3. The Student Ombudsman shall conduct his or her investigations into complaints independent of the Executive Board.
4. The Executive Board may only give instructions of a general nature to the ombudsman.

*Article 8 (Student Ombudsman powers and support facilities)*

1. The Student Ombudsman is authorised to request administrative bodies to supply information, documents, or access to documents, concerning matters to which an investigation by the Student Ombudsman relates.
2. The administrative bodies and persons are obliged to meet with a request as referred to in the first paragraph within a period of time indicated by the Student Ombudsman. If the Student Ombudsman considers it necessary, persons called upon to do so shall appear at a hearing.
3. Administrative bodies may determine that information which for serious reasons they judge to be confidential may only be provided to the Student Ombudsman on the condition that he or she treats them with confidentiality.
4. The Student Ombudsman will be given the resources he or she can reasonably be expected to need in order to be able to adequately fulfil his or her function.

### **III. Final provisions**

*Article 9 (legal protection)*

No student or person who has been involved in a complaints procedure as described in these regulations, shall in any way be subject to any kind of deleterious treatment as a result of his or her involvement with a complaint, provided his actions were in good faith.

*Article 10 (withdrawal)*

The Regulations for the Ombudsman for student complaints is withdrawn.

*Article 11 (commencement)*

These Regulations enter into force on 1 September 2010.

*Article 12 (citation)*

These regulation shall be cited as the TU Delft Student Complaint Regulations.

## EXPLANATORY NOTES

### General

The Administrative Reinforcement Act on the WHW prescribes in Article 7.59a that the Executive Board should establish an accessible facility where a student may submit a complaint, objection or appeal. The purpose of this is to make it easier for students to seek legal redress. If necessary, the facility will refer the student to the appropriate body. The joint facility for the legal protection of students, as it is known at TU Delft, is regulated by Article 42 of the Delft University of Technology Executive and Management Regulations (EMR).

The facility will be virtual in nature – in other words, digital technology will be used, with a distinction made between the handling of complaints on the one hand and the handling of objections and appeals on the other.

Until now, complaints have been handled at TU Delft by the Student Ombudsman, while objections and appeals were dealt with in accordance with the AWB, and which were registered and dealt with centrally. During the establishment of the new facility, much attention has therefore been paid to registering complaints centrally, with Education & Student Affairs having a leading role to play. The WHW says only that complaints must be handled in accordance with AWB. Strictly speaking, no regulations are needed, but the Board considers it desirable to give the handling of complaints a more formal framework and to specify the role of the Student Ombudsman in the process more clearly. The complaint regulations have been included as Appendix 3 to the EMR. For the TU Delft Student Objections Committee Regulations, please refer to Appendix 4.

### Handling complaints

The starting points in these regulations are central coordination and registration of complaints, but a decentralised (in principle) system for handling them, namely by or on behalf of the relevant Dean or director, if a complaint relates to the actions of the University Corporate Office. If it is unclear as to which body should investigate a particular complaint, the coordinating body at E&SA will do so. After a complaint has been dealt with by TU Delft itself, a student may approach the Student Ombudsman, who then functions as the second complaints body. There is one exception to the principle of the decentralised handling of complaints: if the nature of the complaint is such that it warrants the immediate attention of the Student Ombudsman. This could be the case with very sensitive complaints that could affect the entire university or large sections of it.

From recent experiences, it appears that many complaints are simple and easily resolved, with the role of E&SA considered sufficiently independent. The independent treatment of complaints is safeguarded because the Student Ombudsman can always be involved in the second instance, and sometimes in the first instance. This method is described in Articles 3 and 6. For the procedural aspects of dealing with written complaints, Article 5 makes reference to the AWB, in which Articles 9:4 to 9: 12a state when a complaint does not have to be dealt with, and which clearly describe such aspects as the right of both sides to a hearing. As far as verbal complaints are concerned, the law (again, the AWB) states only that they have to be dealt with in an appropriate fashion (Art. 4). As already mentioned, written complaints are subject to more procedural requirements. The Student Ombudsman only accepts written complaints.

### Demarcation

The same broad definition of student is used in Article 1 as that in the WHW: prospective and former students may also submit complaints, as can external students, past, present and future. Article 2 demarcates the scope of application with regard to the special TU Delft Regulations for Complaints concerning Undesirable Behaviour or the Academic Integrity Regulations.

### Independence of the Student Ombudsman

The independence of the Student Ombudsman is guaranteed in Article 7 and 8, which also include his concomitant powers.

### Legal protection of complainants and others

Finally, in order to guarantee that complaints are handled without prejudice, Article 9 states that students, employees or any other persons may not be deleteriously affected as a result of their having submitted a complaint, provided information in relation to a complaint, or been involved with a complaint in any way.

*Article 1 (establishment)*

1. The Executive Board shall establish an arbitration advisory committee, known the TU Delft Students Objections Committee, for the purpose of ruling on objections submitted by students against decisions taken by the Board on the basis of the WHW, except for decisions taken on the basis of Article 7.61 of said Act.
2. 'Student' is defined as a student, prospective student, former student, external student, prospective external student or former external student at TU Delft.

*Article 2 (composition)*

1. The Student Objections Committee shall be composed of a chairman and deputy chairman, who shall also be a member, and four other members.
2. Recommendations relating to objections will be issued by three members, including the chairman or the deputy chairman.
3. Notwithstanding the provisions in Article 7:13, paragraph 3 of the AWB, the hearings may take place before the chairman, the deputy chairman or a member who is not a member of or answerable to the Executive Board, in the event of the unexpected absence of the chairman, deputy chairman or one or more members on the date of the hearing.
4. The chairman, the deputy chairman and the members shall be appointed by the Executive Board for a period not exceeding three years, and may be reappointed on two subsequent occasions.
5. The deputy chairman has the powers of the chairman, as meant in Articles 7 and 8.

*Article 3 (nomination requirements)*

1. The chairman, the deputy chairman and the members shall all possess a law degree or intellectual capacities of a comparable level, obtained through relevant work experience in the field of student affairs.
2. The chairman and deputy chairman shall not form any part of or be answerable to the Executive Board in any capacity.
3. The members may not have any direct involvement with the dispute and shall accept no instructions from the Executive Board in relation to the dispute.

*Article 4 (dismissal)*

1. The chairman, the deputy chairman and the members may be dismissed from the Committee by the Executive Board, after the person involved has been heard, should he or she be found to be unsuitable or if any other compelling reason exists which, in the opinion of the Board, makes dismissal necessary.
2. The chairman, the deputy chairman and the members may resign from the Committee at their own request at any time.

*Article 5 (secretariat)*

1. The Executive Board shall appoint a secretary and one or more deputies to the secretary, who shall provide the Committee with support services.
2. The secretary and the deputy secretary shall form no part of the Committee.

*Article 6 (remuneration)*

The chairman, the deputy chairman and the members, if they are not employed by TU Delft, are entitled to an appropriate remuneration, the level of which shall be determined by the Executive Board.

*Article 7 (amicable settlement)*

1. Within two weeks of receipt of an objection, the committee shall investigate whether or not an amicable settlement is possible between the student and the party that has made the ruling. The committee may transfer the task of investigating the possibility of an amicable settlement to the chairman or the secretary of the committee.
2. The party who has made the ruling shall investigate as quickly as possible whether an amicable settlement can be reached. During the time in which an attempt at reaching an amicable settlement is being made, the process of dealing with the objection shall be suspended, in consultation with the parties.
3. Should an amicable settlement not be possible, or if in the opinion of the chairman of the committee the procedure for reaching an amicable settlement will not be successful or if the interests of the appellant could be harmed as a result, the party who made the ruling against which the objection has been lodged should submit his or her position within a period stated by the committee.
4. If an amicable settlement is reached, the committee shall terminate its handling of the objection. The shall inform the student, the Executive Board and the Dean of the faculty in which the student is taking his or her degree programme, of this in writing.

*Article 8 (emergency procedure)*

1. The student may state when submitting his or her objection that a ruling is needed without delay and request an emergency procedure, as referred to in Article 7.63a, paragraph 4, of the WHW.
2. The chairman of the committee shall conclude within one week of receipt of the objection and the request, whether or not a decision is needed without delay. The chairman shall inform the student and the Executive Board of his conclusion as quickly as possible. If the chairman is of the opinion that a decision is indeed needed without delay, the committee will issue its recommendation as quickly as possible so that the Board is able to reach a decision within four weeks of the receipt of the objection.

*Article 9 (commencement)*

These regulations shall enter into effect on 1 September 2010.

*Article 10 (citation)*

These regulations shall be cited as the TU Delft Student Objections Committee Regulations.

## EXPLANATORY NOTES

### General

The Administrative Reinforcement Act on the WHW prescribes in Article 7.59a that the Executive Board should establish an accessible facility where a student may submit a complaint, objection or appeal. For more information on this, reference is made to the general explanatory notes to the TU Delft Student Complaints Regulations, Appendix 3 to the EMR set down by the meeting of the Executive Board on 10 August 2010, with approval from the joint meeting on 8 July and the Supervisory Board on 22 September 2010.

Compared with the current situation, there is little change as regards the handling of objections and appeals lodged by students. Whereas there is presently one set of regulations for committees dealing with objections in relation to student affairs and affairs affecting employees and others, because of the changes to the WHW and the difference in procedures, it is now necessary to draw up two sets of regulations. A separate set of regulations will be drawn up for the arbitration committee for employees and others (see Art. 43 a of the EMR), from which the current regulations governing both committees will cease to be effective. A third set of regulations concerns the Examination Appeals Board (see Art. 43 of the EMR), which do not require any amendments as a result of changes to the WHW.

Art. 7.63a of the WHW prescribes an arbitration committee for dealing with objections lodged by students; like the current committee, this is a so-called Art. 7:13 AWB committee. The WHW does not use the word 'dispute' as a distinguishing criterion, which is why it has been decided to continue to refer to the arbitration committee by that name at TU Delft. The current system has been more or less replicated in these regulations in their entirety, but there are some new elements in the WHW, some of which deviate from the AWB.

- The WHW prescribes that the members of the committee must be functionally independent which, according to the Explanatory Memorandum, means that the members may not receive any instructions from the Executive Board and may have no direct involvement with the dispute. Although this was not explicitly set down, this practice had generally been observed in any case, and the members of the arbitration committee were recruited from outside the ranks of TU Delft whenever possible.
- Investigating the possibility of reaching an amicable settlement; see Article 7.
- The inclusion of an emergency procedure; see Article 8.

The period in which a decision is to be taken also differs from that in the AWB: ten weeks instead of fourteen. In addition, this period may not be extended, and it runs from the date of receipt of the objection, while in the recently amended AWB, the period for reaching a decision starts only from the end of the period in which an objection may be lodged.

To the extent that matters are covered by the AWB, they are not repeated in these regulations. Reference is made to Article 7:13 of the AWB in relation to the powers of the committee, such as that of the chairman to hear, or not to hear, arguments, or to assign such powers to a single member, in the case of clearly inadmissible or clearly unfounded objections. These regulations govern matters of an organisational nature, such as the composition of committees, methods of appointment, support and remuneration.



## **Article by article**

### *Article 1*

For the competency of the student affairs committee, reference has been made to Art. 7.63a, paragraph 2 of the WHW: this concerns decisions taken based on the WHW, except those based on Art. 7:61 of the WHW, which fall under the remit of the Examinations Appeals Board. If a student lodges an appeal on the basis of another Act, such as the Freedom of Information Act, he or she will be dealt with by a different committee (employee and other matters).

The same broad definition of student is used as that in the WHW: prospective and former students may also submit complaints, as can external students, past, present and future.

### *Article 2*

It has been decided that there should be a 'double' complement of six members on the committee. Recommendations on each objection are always made by three members, including the chairman or deputy chairman. Hearings will in principle take place in front of three members, although a provision exists in the third paragraph for a scheduled hearing to take place in the event of the unexpected absence of one or more members. In any case, Article 7:13 of the AWB permits hearings to be held in the presence of a single member.

### *Article 3*

The third paragraph emphasises the independence of the committee members in accordance with the intentions of legislators. The complete independence of the chairman and deputy chairman is in line with the provisions of Article 7:13 of the AWB.

### *Article 7*

As stated above, the WHW states that an investigation must be held as to whether an amicable settlement is possible. The procedure for this has been derived from that of the TU Delft Examination Appeals Board Regulations.

### *Article 8*

The details of the emergency procedure are based on the provisions of Art. 7.63a, paragraph 4 of the WHW.

THE EXAMINATION APPEALS BOARD OF  
DELFT UNIVERSITY OF TECHNOLOGY

in view of Article 7.62 of the Higher Education and Scientific Research Act (WHW);

with the approval of the Executive Board of Delft University of Technology (TU Delft) of 20 June 2007;

**HAS DECIDED**

to adopt the following regulations, hereafter referred to as 'the Regulations':

*Article 1: Definition of terms*

In these Regulations, terms shall be understood as follows:

- a. Act: The Higher Education and Scientific Research Act (WHW);
- b. CBE: The Examination Appeals Board of Delft University of Technology as referred to in Article 7.60 of the Act.

*Article 2: Size, composition and term of office of the Board*

- 1 The CBE has three members: a chairperson, a member of the academic staff and a student member. Each member has a deputy.
- 2 An appeal will be considered by three members, namely the chairperson or his/her deputy, a member of the academic staff and a student member.
- 3 The chairperson, his/her deputy and the members of the academic staff are appointed by the Executive Board for a period of three years. The student members are appointed for a period of two years. All members may be eligible for reappointment.

*Article 3: Dismissal*

- 1 Without prejudice to the provisions of Article 7.60 Section 6 of the Act, members may be dismissed if they no longer hold the position on the grounds of which they were appointed.
- 2 Prior to dismissal on the grounds of this article, the person concerned will be informed of such intended dismissal and given an opportunity to be heard on this matter.

*Article 4: Chairperson*

- 1 In the absence or unavailability of the chairperson, the deputy chairperson will deputise for him/her and assume their duties and powers.
- 2 The chairperson is authorised to represent the CBE both judicially and extra-judicially.

*Article 5: Secretary*

- 1 The Executive Board, after consultation with the chairperson, shall appoint a secretary to assist the CBE. The Executive Board may appoint one or two members of TU Delft staff to assist the secretary.
- 2 During the execution of the tasks the secretary will observe the instructions of the chairperson.
- 3 The secretary shall establish the composition of the CBE for each session upon consultation with the chairperson.

*Article 6: Remuneration*

Insofar as they are not employed by TU Delft, the chairperson and his/her deputy will be entitled to appropriate remuneration as determined by the Executive Board.

*Article 7: Amicable settlement*

In addition to Article 7.61, Section 4 of the Act, the following provisions shall apply:

- a The body against which an appeal is submitted will summon the appellant as soon as possible, but no later than one week after the invitation to an amicable settlement has been issued, to investigate whether an amicable settlement can be reached.
- b Should it prove impossible to reach an amicable settlement, the body concerned will submit a statement of defence within three weeks of the invitation to reach an amicable settlement.
- c Should the chairperson of the CBE believe that following the procedure to reach an amicable settlement would not have the desired result or if this would disproportionately harm the appellant's interests, he/she may determine that a statement of defence is to be submitted within three weeks and omit the amicable settlement procedure.
- d The chairperson may determine to extend the period within which the statement of defence is to be submitted by two weeks.

*Article 8: Repeal*

The Regulations of the Examination Appeals Board pursuant to Article 7.60 of the Higher Education and Scientific Research Act (WHW) of 7 October 1993 are to be repealed.

*Article 9: Entry into force*

These Regulations enter into force on the first day after the date of issue of the edition of Delta giving due notice of the Regulations.

*Article 10: Official title*

These Regulations will be referred to as the Regulations of the TU Delft Examination Appeals Board.

These Regulations will be available for inspection at the Student Administration for two months from the date they enter into force. The Regulations will be published on the TU Delft website.

Notification of these Regulations, the publication on the website and the submission for inspection will be given in Delta, the weekly magazine of TU Delft.

As adopted by the Examination Appeals Board on 21 June 2007.

W.H.M.A. Pluimakers  
chairperson

## EXPLANATORY NOTES

### General

Article 7.62 Higher Education and Scientific Research Act (WHW) stipulates that the Examination Appeals Board (CBE) is to adopt regulations to regulate certain specific matters. The Regulations adopted in this respect in 1993 had applied up to now.

It is desirable that these Regulations be amended, the principal reason for which being the reduction, from five to three, of the number of members dealing with a case. A smaller group is preferable for practical reasons. It is sometimes very difficult for all five members to be able to meet at the same time.

The opportunity was also seized to significantly revise the Regulations adopted in 1993. These included many provisions which were a duplication of provisions of the General Administrative Law Act (AWB).

Save for some exceptions laid down in the WHW, the CBE procedure is subject to the AWB. Subjects regulated in the AWB are not included in these Regulations. These Regulations contain all elements laid down in WHW Article 7.62 as well as additional provisions for amicable settlement.

### Amicable settlement

The Act recognises an amicable settlement procedure intended to enable the administrative bodies of the university referred to in WHW Article 7.61 to solve as many disputes as possible in matters in which the CBE is authorised to pass judgement. If an amicable settlement cannot be reached, the CBE will consider the appeal.

Although the amicable settlement procedure is laid down in detail in the Act, the CBE is authorised to regulate certain aspects of the procedure in the Regulations. Article 7 of the Regulations regulates several matters in addition to the Act. A period is defined within which the appellant is to be invited to consider whether an amicable settlement can be reached. If an amicable settlement cannot be reached, a statement of defence must be submitted within three weeks. In implementation of Article 7.62, Section 1 Subsection e of the WHW it is stipulated that no attempt to reach an amicable settlement need be made if the chairperson feels that an amicable settlement would not produce the desired result or if this would disproportionately harm the student's interests. In this case, the respondent is to submit a statement of defence within three weeks. Allowing for the fact that the CBE must reach a decision within 10 weeks of receipt of the notice of appeal, the stipulation has been included that the period within which a statement of defence is to be submitted may be extended by a maximum of two weeks.

Pursuant to Article 7.62 Section 2 of the WHW, these Regulations must be approved by the Executive Board of TU Delft. The Executive Board must first submit the Regulations to the Student Council for advice (Student Council Regulations Article 5.1 Section 2 Subsection f). Upon the advice from the Student Council on 10 May 2007, the Executive Board approved these Regulations on 20 June 2007.

These regulations contain house rules for the use by students of ICT facilities at TU Delft. These rules apply to all use by students throughout their studies of the facilities referred to. They are regulations in the sense of Article 7.57 of the Higher Education and Scientific Research Act.

*Article 1. Definition of terms*

Terms used in these regulations shall be understood as follows:

- **Educational ICT facilities:**  
the TU Delft computer network and all ICT equipment connected to it owned or managed by TU Delft.
- **student**  
a person enrolled as such at TU Delft, with the exception of those enrolled as external students
- **manager**  
the Executive Board of TU Delft and on its behalf, as far as the network is concerned, the director of the Department for Technical Support and, as far as the associated university equipment is concerned, the Dean/director of the management unit to which the equipment belongs.
- **unwanted e-mail**  
E-mails that have not been requested by the receiver or which he or she regards as unwanted.

*Article 2. Free use by students*

Any student correctly enrolled as such at TU Delft may access the educational ICT facilities during the time of his or her enrolment.

*Article 3. Access*

The student shall obtain access to the facilities via the faculty in which he or she is following a degree programme.

*Article 4. Use for educational purposes*

Access to the educational ICT facilities as described in Article 2 is intended for the purposes of education at TU Delft, and should be used as such. Private use is permitted only insofar as it has no negative effect on the ICT facilities and is not prohibited by these regulations or by legislation.

*Article 5. Commercial use*

The use of educational ICT facilities for private purposes of a commercial nature is prohibited. E-mail addresses made available by the university may not be used for commercial distribution to third parties.

*Article 6. Use of false identity*

Logging in under a false name, supplying a false address or otherwise altering header details with the intention of concealing the identity of the sender or to circumvent these regulations is prohibited.

*Article 7. Security*

Any attempt to breach 'service refused', authentication or other security measure, or any unauthorised attempt to gain access to any other account, client, host or network is prohibited.

*Article 8. Use of e-mail and Usenet News*

The use of educational ICT facilities for the purpose of distributing or gathering unwanted e-mail is prohibited. Conduct in connection with e-mail or Usenet news that is an obvious nuisance (such as 'mail bombing'), that is otherwise unlawful, or that is intended to harm others, for example threats, harassment, defamation, obscenity, or software piracy, is prohibited.

*Article 9. Violation of copyright and intellectual property rights*

Use of the ICT facilities whereby copyright or other intellectual property rights are violated, for example by placing software, music or books on the network, is prohibited.

*Article 10. Supervision*

Where these regulations are breached and/or there is a reasonable suspicion of abuse, the Executive Board or the manager it has appointed, namely the Dean or the director of the Department for Technical Support, may access all data on the network or on systems connected to the network for the purpose of effective supervision. If there is a danger of a

student's privacy being infringed on as a result of the Executive Board's or manager's wish to access e-mail traffic or data on personal disk space, this shall not take place before the student concerned has been interviewed about the breach of regulations or abuse and the necessity to access the data has been ascertained.

*Article 11. Breach of these regulations*

Where a breach of the provisions of these regulations occurs, the manager may take the measures necessary to stop it. These measures may comprise the student's immediate exclusion from using the facilities for a maximum period of one year. The customary legal procedure may be followed by the student in response to these measures.

*Article 12. Management of educational ICT facilities by the faculties/library*

The faculties and university library manage the TU Delft ICT equipment in their buildings. They may make additional rules relating to its use.

*Article 13. Specification of these regulations*

On behalf of the manager, the Department for Technical Support (DTS, Dutch: DTO) may draw up technical regulations to supplement these regulations. DTS shall make these supplementary regulations known via its web page. Where any contradiction occurs, these regulations shall prevail.

*Article 14. Reporting offences to the police*

If unlawful use of ICT facilities by a student comes to the attention of the manager, as well as taking the measures referred to in Article 10, he or she may report the matter to the police.

In relation to a police investigation of criminal offences regarding unlawful use of ICT facilities, in order to uncover the identity of a student, his or her name, address and place of residence may be made available to the police if formally requested.

*Article 15. Reporting breaches of these regulations*

Persons observing activities that contravene the provisions of these regulations may report them to: [abuse@tudelft.nl](mailto:abuse@tudelft.nl)

### *Appendix to the Regulations for limiting FttD-TU Delft student accommodation data traffic*

(with reference to Articles 11 and 13 of the TU Delft Management Regulations for the Use of Educational ICT Facilities by Students)

#### *Article 1 Definitions*

##### **1.1. Fibre-to-the-Dormitory (FttD) network**

the network in student lodgings connected by glass fibre to the TU Delft network;

##### **1.2 Service account**

unique personal authorisation with a combination of user ID and password, which allows the entitled user to access educational ICT facilities provided on the TU Delft network;

##### **1.3 Outgoing data traffic**

the data traffic coming from the internal network of a student house via the Point-toPoint Protocol over Ethernet (PPPoE) server.

#### *Article 2 Limitation of outgoing data traffic*

The outgoing data traffic for each service account used on the FttD network is limited to 50 GB per calendar month, unless the manager, on the proposal of the Director of Studies, has agreed to a higher limit.

#### *Article 3 Measures*

3.1 If the limit on outgoing data traffic is exceeded, the manager may take further measures.

3.2 Without prejudice to the possible implementation of other measures, for the remaining part of the calendar month in which the limit has been exceeded, the speed of outgoing data traffic on the FttD network for the service account concerned may be limited to 128 kbps.

#### *Article 4 Notification*

4.1 The manager shall notify the user of the service account on the FttD network as soon as possible of the intention to implement Article 3.

4.2 If in the circumstances the immediate implementation of Article 3 is necessary, the manager shall notify the user as soon as possible after the measure has been taken.

#### *Article 5 Commencement*

These regulations shall come into force as of the first day after their enactment.

#### *Article 6 Citation*

These regulations may be cited as 'Regulations for the limitation of data traffic for TU Delft student lodgings with FttD'.

## **EXPLANATORY NOTES**

### **General**

The TU Delft network, which allows for internet and email traffic, is connected to the network in student lodgings – the so-called Fibre-to-the-Dormitory (FttD) network. A combination of user ID and password (service account) gives the user – usually a TU Delft student – access to the FttD network.

The TU Delft Department for Technical Support (DTO) has recently observed a conspicuous increase in outgoing data traffic for a number of service accounts. This increase is caused by the sending of large quantities of possibly illegally downloaded software and files. This has now taken on such proportions that the stability of the FttD network may be endangered. The network users would suffer as a result. A limit on outgoing data traffic has therefore been set. There are no TU Delft regulations on this matter. The Regulations for the limitation of data traffic for TU Delft student lodgings with FttD (hereunder 'the Regulations') serve to bridge this regulatory gap.

The objective of the Regulations is to guarantee the stability of the network. In essence they provide for a limit on outgoing data traffic for a service account for each calendar month, and where this limit is exceeded, a restriction on the speed of the outgoing data traffic for the calendar month concerned. The Regulations only apply to users of service accounts who are enrolled in a degree programme at TU Delft at the time their account is used.

TU Delft already has 'Management Regulations for the use of Educational ICT facilities by Students' (hereunder 'the Management Regulations'). The Management Regulations are based on Article 7.57/h of the Higher Education and Scientific Research Act (WHW), which stipulates that the administrative body may make regulations relating to proper procedure in its buildings and on its grounds.

In Article 11 the Management Regulations provide for the possibility for the manager to take measures to bring any breach of these regulations to an end, while Article 13 allows

the Department for Technical Support on behalf of the manager to draw up technical regulations to supplement the Management Regulations. This is to take place in agreement with the director of Information Management (IM) at TU Delft.

It would be preferable to include these Regulations in the Management Regulations. However given that a number of points in the Management Regulations need updating, and regulations to deal with the problem in question have proved to be necessary in the short term, the decision has been made to draw up supplementary regulations. This is in line with the objective to include the problem in a general revision of the Management Regulations.

## EXPLANATORY NOTES FOR EACH ARTICLE

### *Article 1*

This article defines the terms used in the Regulations. Article 1.2 defines the term 'service account'. For technical reasons the measures in these regulations can actually only be applied to a service account.

### *Article 2*

This article determines the limit on outgoing data traffic. Outgoing data traffic is checked on the basis of the data traffic that passes through the PPPoE server. The chosen limit is at such a level that a service account user will not easily experience a restriction on their freedom of movement. It is conceivable that a higher limit may be agreed on with the manager. This would include cases in which the limit is exceeded for the purposes of study. For this reason Article 2 contains the possibility for exceptions to the rule. A request as described above must be submitted to the director of the Department for Technical Support. There may be a review of the limit if technological developments give cause for it.

### *Article 3*

This article describes the available sanctions. The first paragraph allows the manager to take further measures where the limit on outgoing data traffic is exceeded. The measures may vary from a written warning to exclusion from use. The second paragraph stipulates that where the limit referred to in Article 2 is exceeded, the speed of the outgoing data traffic for the service account concerned will be limited. The limit is chosen such that an acceptable level of outgoing data traffic is possible.

### *Article 4*

The possibility that the user of a service account wishes to object to the limitation of his or her account is not precluded. Article 4 therefore stipulates that the manager should inform the user of a service account of the implementation of the limitation. As a rule this will take place by e-mail. The Department for Technical Support is the contact point for practical questions and problems.

### *Article 5 and 6*

These articles respectively determine the date on which the Regulations come into force and the way in which they should be cited.



*Article 1 Definitions***1.1 WHW**

the Higher Education and Scientific Research Act (Bulletin of Acts and Decrees 1992, 593);

**1.2 TU Delft**

the institution Delft University of Technology, possessing legal personality on the basis of Article 1.8 paragraph 2 of the WHW;

**1.3 Executive Board**

the Executive Board of TU Delft as referred to in Article 9.2 of the WHW;

**1.4 Manager**

an official appointed according to Article 34 of the TU Delft Executive and Management Regulations;

**1.5 Student**

a person enrolled at TU Delft in a degree programme offered by the university and who on this account makes use of the university's educational and/or examination facilities;

**1.6 Visitor**

a person who is not a student at TU Delft, and is not an employee of TU Delft as referred to in Article 1.1 of the Collective Labour Agreement for Dutch Universities.

*Article 2 Compulsory observance of rules, guidelines and instructions*

2.1 A student or visitor who is in the buildings or on the grounds of TU Delft or who makes use of the university's facilities must closely and immediately observe the rules and instructions laid down by the Executive Board or manager for the purpose of maintaining order and proper procedure within these buildings or on these grounds, as well as the rules laid down regarding the appropriate and legitimate use of the facilities at TU Delft, and must behave in such a way that he or she:

- a. causes no direct or indirect harm or unacceptable nuisance to TU Delft or other persons who are in its buildings or on its grounds or who are making use of its facilities;
- b. does not infringe the rights of TU Delft or those of other persons who are in its buildings or on its grounds or who are making use of its facilities;
- c. does not act in a manner contrary to any statutory obligation;
- d. does not act towards another person or their property in a manner contrary to that which is proper in social intercourse.

2.2 It is prohibited during lectures, working groups or other forms of education within the university buildings to wear clothing or accessories covering the face that seriously limit nonverbal communication between professor and student, or among students, or among professors, or to wear clothing or accessories covering the face such that they seriously impede the identification of the person in or entering a building or participating in a degree audit or examination.

2.3 On behalf of the Executive Board the manager may issue instructions regarding proper procedure in the areas assigned to them within the buildings and on the grounds of TU Delft, and regarding the TU Delft facilities under their management.

*Article 3 Disciplinary measures in case of contravention*

3.1 The Executive Board or a manager may take the following disciplinary measures in respect of a student who does not obey these regulations, in accordance with the procedure described in the regulations:

- a. exclusion from the buildings and grounds of TU Delft or to one or more parts of them, or termination of the enrolment of the student at TU Delft, on the understanding that he or she may be prohibited from entering all or part of the buildings or grounds for a maximum period of one year, and that the enrolment may be terminated for no more than one year;
- b. exclusion from using TU Delft facilities;
- c. imposition of a fine, where this is based on agreement or statutory provision;
- d. written reprimand.

3.2 Any student who fails to comply with the provisions of these Regulations, or commits acts of serious misconduct in the buildings or grounds of TU Delft and continues to commit such acts even after receiving a warning from or on behalf of the Executive Board, may be permanently prohibited from accessing said buildings or grounds, or have his or her enrolment permanently terminated by the Executive Board.

*Article 4 Exclusion by the manager*

4.1 If a student or visitor breaches these regulations or the rules referred to in Article 2, a manager may exclude him or her from all or part of the buildings or grounds belonging to the manager's management unit, or from using the university or faculty facilities belonging to that management unit, with immediate effect for a maximum period of twelve weeks, if and insofar as such immediate exclusion is necessary – in the manager's opinion – given the circumstances.

4.2 The person in relation to whom the measure as referred to in paragraph 1 is taken shall be given the opportunity of a hearing as soon as possible afterwards by or on behalf of the

manager if as a result of urgency this has not been possible beforehand.

- 4.3 A manager may submit a reasoned request to impose a further exclusion, in accordance with the provisions of Article 5.

#### *Article 5 Disciplinary measures by the Executive Board*

- 5.1 A manager may submit a reasoned request to the Executive Board to exclude a student or visitor who breaches these regulations, or the rules referred to in Article 2, or the condition(s) of any disciplinary measures taken, from all of or one or more parts of the buildings or grounds of TU Delft, or from using the TU Delft facilities, or to terminate the student's enrolment.
- 5.2 A copy of this request shall be sent to the person to whom the request relates.
- 5.3 The Executive Board shall make a decision on the request referred to in paragraph 1 within a reasonable period of time.
- 5.4 A disciplinary measure as meant in this article shall at least entail:
- the TU Delft buildings and/or grounds, or parts of buildings and/or grounds, and/or TU Delft facilities to which the exclusion shall apply;
  - the period during which the measure shall apply;
  - the reasons for the measure;
  - any conditions which if breached will result in the implementation of the measure.
- 5.5 If in the opinion of the Executive Board, the seriousness of the situation warrants an immediate measure, it may – pending the decision referred to in paragraph 1 – extend the exclusion referred to in Article 4 paragraph 1 by a maximum period of four weeks, or impose a measure for a maximum period of twelve weeks, without the interested party attending a hearing.

#### *Article 6 Termination of measure*

- 6.1 Either of its own accord or at the request of the person to whom a disciplinary measure as referred to in these regulations applies, the Executive Board may terminate a measure or limit its duration before the period for which it has been imposed has elapsed, or decide to re-enrol the student, if in the opinion of the Executive Board's there are legitimate reasons to do so.
- 6.2 The Executive Board may attach conditions to the termination of the measure referred to in the first paragraph.
- 6.3 If in the Executive Board's opinion, the person to whom the proposed termination applies has not fulfilled the conditions set by the board, the original measure shall come back into effect; in this case the period that has elapsed since the termination of the measure shall not be deducted from the period originally set.

#### *Article 7 Commencement*

These regulations shall come into force as of the first day after the date of the Delta magazine in which the substance of the regulations is announced.

#### *Article 8 Citation*

These regulations may be cited as the 'Regulations for the use of Delft University of Technology buildings, grounds and facilities by students and visitors'.

## **EXPLANATORY NOTES**

### **General**

Article 7.57h of the WHW stipulates that the administrative body may make regulations in relation to proper procedure in its buildings and grounds. From the position of this article in section 3, 'Students and External Students', and the content of this section, it would follow that this stipulation applies only to students. According to the text of article 7.57h of the WHW, the regulations referred to in the article are house rules and disciplinary measures, and should take the form of generally binding regulations.

TU Delft has not yet entirely fulfilled this stipulation in a general sense. With reference to Article 7.57h of the WHW it has however laid down 'Management Regulations for the use of Educational ICT facilities by Students'. These regulations therefore take effect as regulations in the sense of Article 7.57h of the WHW.

The Regulations for the use of Delft University of Technology buildings, grounds and facilities by students and visitors (hereunder 'the Regulations') serve to bridge the above mentioned regulatory gap. Their objective is in the first place to lay down house rules and disciplinary measures in the form of generally binding regulations for the TU Delft buildings and grounds. In relation to students they are a provision in the sense of the Dutch General Administrative Law Act (AWB), based on the authority granted to the Executive Board in Article 7.57h of the WHW.

Given that the TU Delft buildings and grounds are frequented not only by students and TU

Delft employees but also by third parties (visitors), the regulations also apply to this latter category. Visitors are persons who are not students at or employees of TU Delft in the sense of the Regulations. In this case as a rule the regulations relate to a civil act on the part of the TU Delft as manager. It is desirable to establish norms that also apply to visitors. The basis for this may be found in Article 9.2 paragraph 1 of the WHW. Given that these norms do not essentially differ from those that apply to students, the regulations are directed at both target groups.

Employees are defined in Article 1 of the Collective Labour Agreement (CAO) for Dutch Universities (part 1 – Public Universities) as persons having an appointment at an institution.

Article 11 of the CAO for Dutch Universities (part 1 – Public Universities) stipulates that employees must adhere to the regulations of employers, who may impose disciplinary measures where these regulations are contravened. Separate house rules and disciplinary measures are on the one hand unnecessary for employees, yet on the other hand in the imposition of sanctions account must be taken of the particular relationship between employer and employee. For this reason the Regulations do not apply to employees.

The essence of the regulations is that students and visitors in the buildings and on the grounds of TU Delft must adhere to the rules issued by the Executive Board or on its behalf, and that the Executive Board or manager may impose sanctions on these persons if they fail to adhere to the regulations or if they behave improperly or negligently in any other way. The regulations also explain the package of sanctions that may be imposed. They thus serve more to regulate the procedures surrounding the maintenance of order. Detailed house rules must be drawn up in separate regulations, as explained below in the note relating to Article 2.

#### **Amendments 2010**

The TU Delft Regulations for the Use of Buildings, Grounds and Facilities by Students and Visitors should be adjusted in accordance with the changes to the WHW, which took effect on 1 September 2010 (Act of 4 February 2010 (Bulletin of Acts and Decrees, 2010/119)). The change in the law has led to an amendment of Art. 7.57h of the WHW, which forms the basis for the university to draw up its own regulations. The amended article now makes it possible to terminate for a maximum period of one year the enrolment of any student who breaches the house rules or rules of conduct, in addition to the existing measure whereby access to buildings and grounds may be denied. In cases of serious misconduct that is repeated after a warning has been issued, the perpetrator may be denied access to the university permanently or have his or her enrolment permanently terminated. The amendments, which relate to an expansion of the range of available sanctions, have been included in the regulations. The sanction whereby enrolment may be terminated has been included, and the term 'measure' is now used to designate a withdrawal and termination of a student's enrolment.

### **Explanatory notes for each article**

#### *Article 1*

This provision defines the terms used in the Regulations. Article 1.3 defines what should be understood by Executive Board. The Executive Board is the administrative body as referred to in Article 7.57h of the WHW.

The definition of a manager (Article 1.4) is related to the TU Delft Executive and Management Regulations. For the faculty the Dean acts as manager. Article 4 of the regulations allows the manager in urgent cases to impose a sanction or temporary sanction and in accordance with Article 5 he may request the Executive Board for an additional exclusion. In accordance with Article 2.3 a manager may lay down additional regulations, as detailed in the article.

Article 1.5 of the Regulations explains what should be understood by the term student. It follows from the description that it is not necessary for a person in this capacity to participate in education at TU Delft. An external student may also be a student in the sense of Article 1.5.

On the basis of Article 1.6, the category 'visitor' is seen as a remainder category. The persons who fall within this category should therefore not be a student in the sense of Article 1.5 or an employee of TU Delft. An employee is a person who has an appointment at TU Delft, as referred to in Article 1.1 of the Collective Labour Agreement (CAO) for Dutch Universities (Part – Public Universities).

## Article 2

This article stipulates what should be understood by the compulsory observance of rules on the part of students and visitors. It follows from the description in Article 2.1 not only that rules, guidelines and instructions must be observed, but also that a student or visitor must refrain from acting in contravention with a statutory obligation and moreover may not exhibit inappropriate behaviour. A censurable form of inappropriate behaviour takes place as a rule only if the person concerned also acts unlawfully in the sense of Article 6:162 of the Dutch Civil Code. Article 2.1 under d relates to this form of unlawful behaviour. A violation of paragraphs a to c of this article will also generally be considered as an unlawful act. The rules referred to in Article 2 paragraph 1 include rules related to fire safety regulations and other safety regulations, occupational health and safety legislation, environmental legislation, traffic regulations at TU Delft, no-smoking rules in TU Delft buildings, rules relating to the use of TU Delft computer and network facilities, rules regarding identification, and clothing regulations. This summary is not exhaustive. It indicates that for detailed house rules, other regulations should be consulted.

The opportunity has been taken to include generally applicable rules in the regulations: Article 2.2 contains clothing regulations, prohibiting articles of clothing that cover the face. The objectively justifiable aims of this prohibition are to safeguard good communication during education and to be able to establish the identity of persons in the building or of students taking examinations. The article is formulated in accordance with the 'Guidelines for clothing in schools' from the Minister of Education, Culture and Science.

Article 2.3 grants managers the authority on behalf of the Executive Board to issue instructions at local level within the TU Delft buildings and grounds. It is beyond questioning that these instructions do not apply throughout TU Delft, now such authority rests with the Executive Board. They may for example include the regulation of proper procedure in a computer room.

## Article 3

This Article describes possible sanctions. Where a measure is taken in the form of exclusion, it may be temporary, conditional or permanent. Where an exclusion applies to a student it is always temporary, lasting up to a maximum period of 1 year (WHW). Permanent exclusion is only possible for a visitor, and obviously only in serious cases.

Exclusion by a manager is regulated in Article 4, and by the Executive Board in Article 5. A conditional exclusion only comes into effect if the conditions according to which it is imposed are fulfilled. A verbal or written warning of course remains a possibility.

It follows from Article 4 that the manager may impose an urgent measure in the form of an exclusion lasting up to a maximum of twelve weeks, which the Executive Board may extend at the request of the manager. In accordance with Article 5, the manager may directly request the Executive Board to impose an exclusion.

The latter does not restrict the authority to impose an actual disciplinary measure, where necessary followed by a decision in writing.

### Amendment 2010

The new Article 7.57h of the WHW, amended by the Act of 4 February 2010 (Bulletin of Acts and Decrees, 2010/119), has led to an expansion of the range of available sanctions, which relate to the possibility of terminating the enrolment of a student and to the duration of measures that can be taken, and which have been included in Article 3.

## Article 4

It is possible that within a management unit a situation may occur whereby it may be necessary for the manager to impose an immediate exclusion from the buildings and grounds or from using the university facilities. This article provides for such an exclusion and contains procedural regulations to this effect.

The manager may impose a measure for a maximum period of twelve weeks. Article 4:8 of the Dutch Administrative Law Act regulates the obligation to grant the opportunity of a hearing, which also applies to decisions made in respect of students on the basis of the Regulations. From the perspective of exercising due care, visitors must be placed on an equal basis with students; this also applies in relation to the provisions of Article 5 of the Regulations. The second paragraph states that if due to the urgency of the measure it is not possible for an interested party to have a hearing beforehand – Article 4:11 of the Dutch Administrative Law Act allows for this exception – the interested party must be granted the opportunity as soon as possible afterwards.

It therefore follows from the article that the manager may only impose an exclusion for a limited period of time. However, according to paragraph 3 he or she may submit to the Executive Board a reasoned request to impose an additional exclusion. In doing so the Executive Board acts in accordance with Article 5. The manager is also free to approach

the Executive Board directly with a reasoned request for a denial of access on the basis of Article 5, without having taken measures on the basis of Article 4.

#### *Article 5*

The first three paragraphs of this article regulate the procedure whereby the manager requests the Executive Board to exclude a person who contravenes Article 2 of the Regulations from the university buildings or grounds, or from using the facilities (with or without the application of Article 4), or to terminate the student's enrolment. Prior to the imposition of such a measure by the Executive Board the interested party must be granted the opportunity of a hearing, as follows from the Dutch Administrative Law Act (Article 4:8). Paragraph 4 determines the minimum criteria that an exclusion or termination of enrolment must meet. The stipulation in subsection d applies to conditional measure.

Article 5 allows the Executive Board the possibility to extend the period referred to in Article 4 paragraph 1 by a maximum of four weeks or – if article 4 has not been applied by the manager – to impose a measure for a maximum period of twelve weeks, if the severity of the situation demands it. In view of the urgency of the measures to be taken, a hearing beforehand is not required (Article 4:11 of the Dutch Administrative Law Act). Interested parties must however have the opportunity of a hearing before the ultimate measure is imposed.

#### **Amendment 2010**

The article has been amended as a result of the changes to Article 7.57h of the WHW.

#### *Article 6*

This article contains procedural regulations for the termination of a measure (withdrawal or termination of enrolment) by the Executive Board. The Executive Board may decide to do so on its own initiative or on the initiative of the person involved.

#### **Amendment 2010**

The article has been amended as a result of the changes to Article 7.57h of the WHW.

#### *Articles 7 and 8*

The articles respectively state the date on which the regulations come in to force and the way they should be cited. It is also advisable to indicate at the main entrances to buildings that these Regulations and house rules apply to TU Delft buildings, grounds and facilities, and to make them available for consultation via the receptionist or manager of the building.

**I. Objective**

The 'Code of Conduct for the Use of English' serves to guarantee quality in the use of a foreign language such as English as the language of instruction within the degree programmes at TU Delft.

**II. Principles**

- a. Article 7.2 of the WHW stipulates that the language used for tuition and examinations is Dutch. An exception may only be made in three cases:
  - a. if the degree programme relates to the language in question;
  - b. if a guest lecture is given by a non-Dutch speaking lecturer;
  - c. if it is necessitated by the specific nature, design or quality of the education or the origin of the students, according to a code of conduct to be drawn up by the administrative body.
- b. The Executive Board's Guidelines for the Introduction of the Bachelor's-Master's System of September 2000 determine that the Master's degree programmes and/or their specialisations that are of a predominantly international nature should be taught in English at TU Delft. Currently all Master's degree programmes at TU Delft are taught in English.
- c. The code of conduct is subject to a three-yearly evaluation by the Inspectorate of Higher Education.

**III. Code of conduct**

The language of instruction for Master's degree programmes is English and the teaching/instruction material should be supplied in English. Tests and examinations shall be taken in English. The board of examiners may allow a student to take tests and examinations in Dutch if this is demonstrably to the advantage of the student concerned. It is the responsibility of the Dean to provide information on all possibilities and limitations regarding subjects taught in English, and to publish this in the prospectus, the website etc., especially where it relates to the subjects in the flexible component of the programme.

The transitional phase ended on 1 September 2004. Lectures, teaching, and testing now all take place in English and teaching material is also in English.

**Implementation****a. Professors**

Experience with teaching in English will be included as one of the selection criteria according to TU Delft appointments policy. Professors will be tested on English language skills on their appointment. Pedagogically effective teaching in English is a component of the career policy for professors and is included in the Result & Development Cycle. English language skills are one of the basic qualifications in education.

Professors were subject to compulsory testing of their English language skills (the 'Testing English Language Skills' project) in 2007/2008. Professors whose English language skills are unsatisfactory for teaching will be obliged to take part in a language course specifically aimed at the use of language in teaching situations. The Dean will provide them with the opportunity to do so, and will make sure that they fulfil this obligation. As proof of their participation in such a course, they will receive a certificate. English language training may also be combined with pedagogical training. Participants will be trained in specially adapted teaching techniques designed to obviate problems with English, and in techniques for the use of visual material to support explanations and compensate for a lack of English language teaching skills. There is also a possibility for personal support to be provided to professors who have difficulties with improvising in teaching situations and reacting spontaneously to students' questions.

**b. Students**

Students must be prepared during Bachelor's degree programmes at TU Delft for the use of English in the Master's phase. This will take place firstly through the use of English language teaching material, and the provision of incidental subjects in English due to the nationality of the professor or the nature of the subject.

**c. Teaching material**

The teaching material for the Master's degree programme is available in English. The material must fulfil the following requirements:

- the material should be suitable for self-study: the subject matter should be clear and fully described in such a way that the student is able to master it independently. This is particularly important to enable students who have not been able to follow a lecture entirely to compensate for this through independent study of the material;

- the organisation and structure of the material should be accessible to students: it should include study notes, practice exercises, examples etc.;
- the material should invite independent and critical study of the subject matter;
- the material should include a glossary explaining English technical terms specific to the subject.

## **V. Quality assurance and evaluation**

TU Delft's normal educational quality requirements apply equally to education in English. The measures for the implementation of the code of conduct described above therefore include an additional package of measures principally focused on the quality and use of teaching material and the teaching behaviour of the professors. The quality of these measures will be regularly checked on the basis of evaluation. As with regular education, for education in a foreign language the responsibility for quality assurance lies both at faculty and at central level.

### **Implementation**

Through the organisation of review procedures for professors who teach in English, the quality of education can be continuously safeguarded. This form of evaluation includes the study of teaching material, teaching methods and the marking of examinations. This quality assurance model is recommended by the Inspectorate. Quality assurance also involves the opinion of students. For the assessment of the output of certain degree programme components, the same procedure is applied as that for regular education, which means that where student results are disappointing, further analysis will take place to ascertain the reasons. Finally, monitoring will take place, particularly for the participation of professors in English language courses and the possibility for students to link a training course in 'Technical English' to the core curriculum.

Having regard to the fact that Dutch higher education aims to improve and strengthen international cooperation, and with its higher education institutions the Netherlands wishes to position itself abroad as a knowledge society;

while higher education institutions treat Dutch and international students in the same way in principle, the provision of information and care for international students in some respects requires further regulation;

higher education institutions wish to attract international students of a high quality and by means of this code of conduct they lay down a streamlined and coordinated line of conduct for relations with international students;

it is important that the higher education institutions present international students with a clear and unambiguous view of the Dutch higher education system and of the education offered by the higher education institution, in accordance with the description in the Diploma Supplement as laid down by the Ministry of Education, Culture and Science;

in this respect the higher education institutions wish to provide information in a clear, accessible and unambiguous way on the quality of the education offered, its position within the Dutch system, the facilities provided, the cost of the degree programme and the cost of living, as well as the admission requirements applicable to international students;

the higher-education institutions may use the international facilities of the Dutch government only if they take due care in their dealings with international students;

the government considers it reasonable that higher education institutions that subscribe to, implement and apply this code of behaviour take due care in their relations with international students;

the Dutch government stipulates that the granting of residence permits to citizens who are not from an EU or EEA member state or from Switzerland for study at higher-education level is conditional on the higher education institution's having signed the code of conduct;

the Dutch government supports the higher education institutions that subscribe to and implement this code of conduct and provides relevant information via its offices in other countries;

the higher education institutions affiliated to this code of conduct subscribe to it as the basis for the relationship between the international student and the higher education institution;

in signing, the higher education institution commits itself to fulfilling the obligations contained in the code of conduct, and undertakes to act in the spirit of the code of conduct as far as matters not contained in the code of conduct are concerned;

in order to realise the aforementioned objectives, further agreements are required to make the code of conduct an addition to the existing legal framework. The existing legal framework includes, but is not limited to, Article 7.28 of the WHW, 3.41 of the Aliens Decree 2000, and Chapter B6 of the Aliens ministerial circular 2000.

#### **The higher education institutions agree to fulfil the following obligations:**

##### *1 Definitions*

#### **Agent:**

an individual, company or other organisation which, either on a commercial or non-commercial basis, offers services to current or prospective international students who wish to study in the Netherlands, or which offers services to a higher education institution for the recruitment of international students.

#### **Interested parties:**

the international student, the higher-education institution, the Netherlands Association of Universities of Applied Sciences, the Netherlands Board for Training and Education, and the Association of Universities in the Netherlands, as well as the Ministries of Foreign Affairs (BZ); Education, Culture and Science (OCW); Economic Affairs, Agriculture, and Innovation; and Justice.

#### **Code of conduct:**

this code of conduct regarding international students of education.



**International student:**

a student holding foreign nationality who, if it concerns a student who requires a residence permit, is going to study, is studying, or has studied at an education institution based in the Netherlands on the basis of a residence permit issued for that purpose..

**Exchange student:**

An international student who is going to study, is studying, or has studied at an education institution based in the Netherlands for at least three months and for no longer than twelve months as part of an exchange programme established for that purpose, and who is not enrolled as a regular student at and will not receive a diploma from said institution.

**Education institution**

An institution of higher education which:

- is financed in accordance with the WHW, has been designated or is a legal entity for higher education;
- is subsidised in the context of Article 2 of the framework law on Ministry of Foreign Affairs subsidies and the Ministry of Foreign Affairs Subsidy Regulations 2006, or provides accredited higher education as defined in Article 5.2, and
- has signed this code of conduct and is registered with the public register of higher-education institutions.

**National committee:**

the committee as referred to in paragraph 7.

**Register:**

the public register of higher education institutions that have signed the code of conduct, maintained by the register administrator.

**Register administrator:**

The Education Executive Agency of the Ministry of Education, Culture, and Science.

**Education:**

all higher education – including the preparatory year - provided by or which is the responsibility of the higher-education institution for the international student.

**Preparatory year:**

preparatory education – including preparatory language education – with a duration of no longer than one year, provided by or which is the responsibility of the education institution for the international student to enable him to be admitted to a regular study programme.

**Admission to the study programme:**

the positive outcome of the assessment by the education institution of at least the prior education, language proficiency, and the certificates of the international student seeking admission to and enrolment for a specific study programme.

**Enrolment:**

the administrative processing by the education institution at the request of the international student who has been granted admission, from which all the rights and obligations in relation to being allowed to study accrue.

**Umbrella organisations:**

the Netherlands Association of Universities of Applied Sciences, the Netherlands Board for Training and Education, and the Association of Universities in the Netherlands.

**Students who require a residence permit:**

international students from countries other than EU or EEA member states or Switzerland.

**Reference period:**

the period in which an international student who has been admitted is enrolled at one and the same education institution.

**Proportional nominal study load:**

the nominal study load for the period of enrolment in an academic year.

[for other changes: compare the text in the separate file with the text below]

## 2. Provision of information

- 2.1 The higher education institution will provide reliable and easily accessible information in a timely manner to international students regarding:
- a. the degree programme's accreditation status;
  - b. the quality criteria with which degree programmes must comply and the internal procedures that guarantee such quality;
  - c. a description of the degree programme and the certificate to be obtained as well as the teaching and examination regulations (or comparable regulations) or a summary

- thereof;
- d. the admission requirements for the degree programme, including admission and registration procedures and associated costs;
  - e. the language in which the degree programme is taught;
  - f. supplementary fees the higher education institution may charge in relation to the above services, or services referred to in paragraphs 3, 4 and 5.
  - g. this code of conduct.

The above information will preferably comprise a description of the knowledge and skills that the international student will have acquired having successfully completed the degree programme.

- 2.2 The information provided by the higher education institution to international students based on this code of conduct must be provided in English or in the language used in the degree programme or in the native language of the international student.
- 2.3 The higher education institution will ensure that its marketing and presentation clearly indicate the nature of the higher education institution and the education it provides, and in recruiting international students, it will act in accordance with the rules and standards laid down in the Advertising Code of the Dutch Advertising Code Committee (Nederlandse Reclame Code Commissie), particularly the general code (I) and the specific advertising code for courses (II-b). The higher education institution will use a name in English that clearly indicates the nature of the institution.

### 3 Agents

- 3.1 If the higher education institution commissions an agent to recruit international students, the higher education institution will ensure that the agent acts in the spirit of this code of conduct. The higher education institution will include in its agreement with the agent a clause to the effect that the agreement will be dissolved immediately if the agent does not comply with the code of conduct and the advertising code applicable in the country of recruitment. If the recruitment and selection process is contracted out either wholly or partly, the higher education institution will remain responsible for the admission of students.
- 3.2 The international student will pay the cost of the degree programme and any admission fee to the higher education institution or, in the case of joint or double degree programmes, to the designated higher education institution, either in the Netherlands or abroad.
- 3.3 If costs for recruitment or acting as an intermediary are to be paid to the agent, the agreement between the higher education institution and the agent will state by whom such costs are to be paid. International students must be clearly informed of the content of this provision in the agreement in accordance with Article 2.1.
- 3.4 The higher education institution will make agreements with the agent on the supervision of his actions. The higher education institution will also regularly keep itself informed of the experiences of international students. At the request of the national committee (see Article 7), the higher education institution will provide information on its agreements with agents. The higher education institution will immediately report any negative experience with agents to the register administrator. The register administrator will compile a list of agents with whom higher education institutions have had a negative experience and present its findings to the national committee. Based on this list, it will be possible for the national committee to make recommendations to the higher education institutions. In agreements with agents, the higher education institutions will include the provision that the agreement may be made available to third parties for inspection.

### 4 Admission

- 4.1 International students applying to enrol with the higher education institution must demonstrate that they have completed the required prior education, have sufficient language skills (see Article 4.2), and are qualified for the specific degree programme for which they wish to enrol. The higher education institution will set these requirements for prior education before recruiting international students for the degree programme concerned, and before admitting a student, the institution will determine whether he or she meets the requirements.
- 4.2 For education offered to international students, the higher education institution will set minimum language requirements that such students must meet, and will ensure they genuinely meet these requirements. For education in English, an IELTS or comparable test score of at least 5 (five) is required for the preparatory year and for Bachelor's and Master's programmes a score of at least 6 (six).
- 4.3 The higher education institution will refuse admission and/or enrolment to the international student, stating its reasons, (i) if he or she does not meet the requirements set by the higher education institution or degree programme, (ii) if he or she has not been allotted a place due to the *numerus clausus* or (iii) if admission is not compatible with the institution's policy. The latter is possible only in the case of non-European students because all

European students receive equal treatment to Dutch students.

- 4.4 The higher education institution will notify the international student in writing, stating its reasons, of any refusal to admit and/or register him or her as referred to in Article 4.3. The higher education institution will also report any legal remedies to which the international student may have recourse in connection with the refusal.
- 4.5 The higher education institution may charge a fee for assessing whether the student meets requirements for language skills, prior education, and qualifications. The higher education institution is obliged to notify the international student of such fees in accordance with Article 2.1.
- 4.6 If the higher education institution offers the international student an optional or mandatory preparatory course lasting a maximum of one year – including a preparatory language course – in order that he or she may be admitted to a degree programme, the higher education institution must ascertain in advance that the international student is capable of successfully completing this preparatory course.

## **5 Provision for and assistance to international students**

- 5.1 The higher education institution meets the applicable national legal requirements.
- 5.2 The institution offers international students only duly accredited degree-awarding programmes. Accreditation of the degree programme is conducted by NVAO or an accreditation organisation offering accreditation of a comparable quality. The national committee will compile a list of such accreditation organisations. In exception to this, for degree programmes included in the Central Register of Higher Education Programmes (CROHO) on the grounds of the transitional provisions (in the WHW), where it has not been possible for accreditation to take place, the higher education institution will guarantee that the education provided is at higher education level and that the institution is able to provide quality assessments in the form of external quality assurance reports resulting from the visitation system that operated in the Netherlands until 2004.

Short courses and tailor-made programmes at higher education level can also be offered to international students. If they are directly linked to an accredited Bachelor's or Master's degree programme, the quality of such courses is thus assured. If the course or the tailored programme is not directly linked to an accredited Bachelor's or Master's degree programme, the institution must be able to demonstrate the quality of the course concerned by means of quality assurance based on the frameworks and procedures of the Dutch accreditation system.

- 5.3 The higher education institution will ensure that professors and lecturers have sufficient command of the language in which degree programmes are offered.
- 5.4 The higher education institution will make clear what services it provides to international students in relation to obtaining a visa and residence permit, housing, introduction and assistance. In its information material, the higher education institution will clearly specify what services it offers in this respect and what the associated costs are, in accordance with Article 2.1.
- 5.5 If the higher education institution becomes aware that the international student has ceased to follow a degree programme without having important and compelling reasons for doing so, the higher education institution will immediately notify the Immigration and Naturalisation Service (IND). If requested, the higher education institution will indicate the means whereby it fulfils this obligation.
- 5.6 The higher education institution is obliged actually to provide the education it offers. If a degree programme is nevertheless cancelled for valid reasons, this must take place no later than three months prior to the start of the degree programme, with the exception of short courses and tailor-made programmes. If the international student is already in the Netherlands in order to follow the degree programme, the higher education institution is obliged where possible to seek a suitable alternative, in consultation with the international student, and to inform the international student of the relevant procedures to be followed.

## **6 Register of participating higher education institutions and the tasks and competence of the register administrator**

- 6.1 To be registered by the register administrator, the higher education institution must demonstrate to the register administrator that:
  - a) the higher education institution's Executive Board has subscribed to this code of conduct by signing it;
  - b) the information is provided in accordance with Articles 2.1, 3.3 and 4.5.
- 6.2 The register administrator will publish the register on its websites in other publications, in

both Dutch and English.

- 6.3 A higher education institution may, at its own request, or by order of the national committee in accordance with the provisions of Article 7.8, be removed from the register by the register administrator.
- 6.4 If a higher education institution is added to or removed from the register, this fact will be published by the register administrator. The register administrator will state the reason for removal.
- 6.5 Without prejudice to the other tasks mentioned in this code of conduct, the tasks of the register administrator comprise:
  - a) the registration of complaints;
  - b) the preparation of an annual report for approval by the national committee;
  - c) the provision of information to interested parties.

## **7 Competence of the national committee**

- 7.1 The education institutions will establish a national committee and define the scope of its competence. The higher education institutions will appoint the members of the national commission on a yearly basis. The register administrator will inform interested parties of the composition of the national committee.
- 7.2 The national committee is independent and consists of six members. The Association of Universities in the Netherlands (VSNU) appoints two members and two deputy members, the Netherlands Association of Universities of Applied Sciences (HBO-raad) appoints two members and two deputy members, the Federation for International Education in the Netherlands (FION) appoints one member and one deputy member and the Platform of Accredited Private Educational Institutions in the Netherlands (PAEPON) appoints one member and one deputy member. The national committee appoints a chairperson who is not an interested party. If any complaint relates to or originates from a higher education institution which has a member sitting on the committee, the member involved will step down and be replaced by a deputy member from another higher education institution.
- 7.3 The task of the national committee is to promote compliance with the code of conduct and to assess the actions of higher education institutions in relation to the code of conduct. It does so by, among other things, (i) handling complaints submitted on the basis of the code of conduct and (ii) assessing changes to the code of conduct.
- 7.4 In order to perform its tasks, the national committee will draw up regulations that form an integral part of this code of conduct. These regulations will also specify what complaints (see Article 7.6) may be submitted by interested parties, how they will be handled and what the possible sanctions are if a complaint is found to be valid.
- 7.5 An interested party who is of the opinion that a higher education institution has not acted in accordance with this code of conduct should first submit a complaint to the competent authority of that higher education institution. The higher education institution will ensure that existing or where necessary new internal complaints procedures are available to handle complaints based on the code of conduct.
- 7.6 If the complainant is of the opinion that the higher education institution has not settled a complaint appropriately or believes that the higher education institution is still not acting in accordance with the code of conduct, the complainant may submit the grounds for the complaint and the response received from the higher education institution to the national committee.
- 7.7 If, having heard the arguments both of the complainant and the higher education institution, the national committee determines that the higher education institution is not in compliance with this code of conduct, it will notify the higher education institution and the complainant of its decision and any consequences thereof.
- 7.8 If the national commission decides to remove a higher education institution from the register, it will also decide on the duration of the removal, and the conditions according to which the higher education institution may be re-admitted to the register.
- 7.9 The national commission will notify the higher education institution, the complainant, the Immigration and Naturalisation Service (IND) and the Ministry of Education, Culture and Science (OCW) of its decision in writing within one month.
- 7.10 If the higher education institution disagrees with the national committee's decision, it may submit the decision as referred to in Article 7.9 to arbitration by the Netherlands Arbitration Institute (Nederlands Arbitrage Instituut) or an alternative arbitration body, within one month of receiving of the decision.

- 7.11 The national committee's decision can only be implemented when:
- the higher education institution has indicated its acceptance of the decision in writing; or
  - a final and irreversible judgment has been given in the arbitration procedure; or
  - the arbitration procedure has been discontinued with the approval both of the higher education institution and of the national committee.

If the higher education institution does not submit the case to arbitration within the prescribed term, or confirm in writing that it accepts the decision, the decision will become final and irreversible.

- 7.12 All costs incurred by the national committee and the higher education institution in connection with arbitration will be borne by the Dutch government.
- 7.13 The register administrator acts as secretary to the national committee. In this capacity, it informs the Education Inspectorate of all valid complaints that have been submitted to the national committee.

## 8 Date of commencement and initial period

- 8.1 The code of conduct will come into force on 1 May 2006.
- 8.2 A higher education institution's executive board may decide to terminate its participation, provided the decision to do so is taken at least six months in advance of the intended termination date. The termination date corresponds to the beginning of the education institution's academic year. The higher education institution concerned will notify the register administrator and the national committee of its decision.
- 8.3 If an interested party proposes an amendment to the code of conduct, or if due to a change in legislation or for other reasons an amendment to the code of conduct is deemed desirable or necessary, the register administrator will publicise the change and distribute the amended code of conduct. An amendment is only possible with the approval of the national committee, unless it is required due to the introduction of mandatory legislation. In this case, the register administrator will amend the text of the code of conduct as quickly as possible to comply with the legislation in question.
- 8.4 After three years, the content and operation of the code of conduct will be evaluated at least by the institutions concerned, the interested parties and the register administrator. Based on this evaluation, the current or amended version of the code of conduct will be adopted and signed by the higher education institutions no later than 1 September 2009. The evaluation will be initiated by the national committee.
- 8.5 The higher education institution undertakes as far as possible to act in the spirit of the code of conduct, also regarding matters that are not referred to in the code of conduct.

### List of abbreviations

BZ:	Ministry of Foreign Affairs (Ministerie van Buitenlandse Zaken)
CBAP:	Central Agency for Application and Placement (Centraal Bureau Aanmelding en Plaatsing)
CROHO:	Central Register of Higher Education Study Programmes (Centraal Register Opleidingen in het Hoger Onderwijs) FION: Federation for International Education in the Netherlands (Federatie Internationaal Onderwijsinstellingen in Nederland)
HBO-raad:	Netherlands Association of Universities of Applied Sciences
IB-Groep:	Information Management Group (Informatie Beheer Groep)
IELTS:	International English Language Testing System
IND:	Immigration and Naturalisation Service (Immigratie en Naturalisatiedienst)
LNV:	Ministry of Agriculture, Nature and Food Quality (Ministerie van Landbouw, Natuur en Voedselkwaliteit)
NVAO:	Accreditation Organisation of the Netherlands and Flanders (Nederlands-Vlaamse Accreditatie Organisatie)
OCW:	Ministry of Education, Culture and Science (Ministerie van Onderwijs, Cultuur en Wetenschap)
PAEPON:	Association of Accredited Private Higher Education Institutions in the Netherlands (Platform van Aangewezen / Erkende Particuliere Onderwijsinstellingen in Nederland)
VSNU:	Association of Universities in the Netherlands (Vereniging van Samenwerkende Universiteiten)
WHW:	Higher Education and Scientific Research Act (Wet op het Hoger onderwijs en Wetenschappelijk onderzoek)

Register of participating higher education institutions  
PM

#### *Article 1 (definitions)*

Below is a list of key terms and their definitions within the context of this document:

- a. standard grant: an annual grant with the aim of maintaining student organisations so that they can continue to carry out their core functions;
- b. innovation grant: a one-off grant for initiating and running new student activities at TU Delft.
- c. fiscal year: the period from 1 January to 31 December of a single year;
- d. student: person who is registered as such at TU Delft.

#### *Article 2 (scope)*

1. This regulation applies to funds provided by or on behalf of the Executive Board which are disbursed as grants to student organisations:
  - a. that provide one or more of the following services: representing students' interests, mediation of (national and international) internships and/or graduation projects or the integration of international students in the Delft University community (standard grants);
  - b. that develop innovative activities for students in the Delft community which are not otherwise funded by the university (innovation grant).
2. Grants are only given on the condition that the activities of the student organisation are in accordance with university regulations and policies.
3. This regulation applies only if equivalent funding is unavailable through other TU Delft regulations.
4. Programme-based student societies and participatory councils are not covered by this regulation.

#### *Article 3 (grant limit)*

1. The grant budget is established each fiscal year by or on behalf of the Executive Board. Money is reserved for the standard grant fund and the innovation grant fund.
2. Applications for standard grants will be honoured proportionately, as long as the aggregate amount of the applications does not exceed the limit for standard grants.
3. Applications for innovation grants are processed in the order that they are received. They are then sorted in order of importance according to the criteria listed in Article 6. Applications can be declined if the fund limit is reached.

#### *Article 4 (criteria for standard grants)*

Student organisations must meet the following conditions in order to be eligible for standard grants:

- a. they must be an association or a foundation with the status of a full legal entity;
- b. the majority of founders and board members of the student organisation must be TU Delft students;
- c. the purpose of the student organisation, as described in its statutes, must be:
  - i. representing student interests, and/or;
  - ii. mediating in internships and/or graduation assignments, and/or;
  - iii. encouraging the integration of international students;
- d. the student organisation must have been established at least two years previously according to its statutes, not including the formation period.
- e. the student organisation must differ sufficiently from other student organisations, thus contributing to the diversity of the student organisations in Delft;
- f. the student organisation may not be financially self-sufficient;
- g. the student organisation must require a real contribution from its members or participants;
- h. the continuity of the student organisation must be guaranteed;
- i. the student organisation must serve the interests of the university as a whole.
- j. If the student organisation is an association, then it must have at least 75 members, of whom 75% must be university students.
- k. If the student organisation is a foundation, then it must have at least 75 participants, members or individuals who are otherwise involved, of whom 75% must be university students. All other cases will be evaluated on the basis of reasonableness and fairness.

#### *Article 5 (costs that are eligible for standard grants)*

1. The following costs are eligible for (partial) standard grants. The Executive Board decides on providing the grants, and the costs incurred must be reasonable.
  - a. Operating costs for the building where the student organisation is established, consisting of:
    - rent;
    - energy;
    - insurance;
    - taxes;

- cleaning;
- maintenance;
- removal expenses;
- b. Office expenses including:
  - copying;
  - communication;
  - office supplies.
- 2. Only actual costs are eligible for (partial) grants.

*Article 6 (innovation grant)*

1. Innovation grants are given on a one-off basis to student organisations to support innovative activities for students of the Delft community.
2. In exceptional circumstances, a student organisation which has received a grant on the grounds stipulated in Paragraph 1 may be awarded a continuation grant, provided that the organisation can make a good case for future entitlement to a standard grant.
3. The decision on whether to award a grant will take place on the following grounds:
  - a. the extent to which the activities have a broad support base among TU Delft students;
  - b. the originality and innovative nature of the activities being organised;
  - c. the contribution made to the objective of these regulations;
  - d. a healthy balance among the range of student activities on offer.
4. In addition to the costs stated in Article 5, the costs of organising innovative activities are also eligible for (partial) compensation. Article 5 is of corresponding relevance to the reimbursement of costs in connection with the innovation grant.

*Article 7 (grant application)*

1. The grant is awarded on the basis of application.
2. The application must include the following components:
  - a. an activities plan;
  - b. a budget that includes (where applicable):
    - the financial contribution of the organisation itself;
    - the financial contribution sought from the university;
    - the financial contribution of other grant-awarding bodies;
    - the contribution from participants;
    - specification of costs
  - c. the bank account number of the applicant.
3. Only complete applications will be processed.
4. To apply for the standard grant, student organisations must submit an application before 31 October in the previous fiscal year.
5. Applications for innovation grants must be submitted at least six weeks before the start of the activities.

*Article 8 (non-allocation of grant)*

1. The grant will not be awarded or only partially awarded if and to the extent that there are insufficient financial resources available, as described in Article 3.
2. The grant will not be awarded if the condition stated in Paragraph 2, Article 2 is not met.
3. Furthermore, the grant can be fully or partially refused if:
  - a. the student organisation or the activity does not meet the conditions set in this regulation;
  - b. the case made for the activities is not strong enough to suggest that they will actually take place in full;
  - c. the case made for the applicant's ability to meet the conditions attached to the grant is not strong enough;
  - d. the student organisation has been declared bankrupt or if court protection from creditors has been granted or if a request to this effect has been submitted.

*Article 9 (decision on allocation of grant)*

1. A standard grant is awarded for a period of one year.
2. The decision to award the grant states:
  - a. the sum awarded;
  - b. the period for which entitlement to this sum applies;
  - c. the information required and other obligations which have to be met in order to secure the grant.

*Article 10 (obligations)*

1. The student organisation must pursue a correct and transparent financial policy.
2. The organisation will give account of its activities, finances and budget on a yearly basis in the form of an annual report.
3. If the student organisation is dissolved, the board at the time is required to report this fact to the Executive Board without delay.

*Article 11 (determining the level of the grant)*

Having received the information stipulated in Paragraph 2 of Article 10, the Executive Board will determine the level of the grant awarded for each fiscal year.

*Article 12 (withdrawal of or adjustment to grant)*

The grant can be wholly or partly withdrawn if:

- a. the recipient has not met the obligations attached to the grant;
- b. the activities have not been initiated, are subject to considerable delay or have been prematurely terminated;
- c. the recipient has provided incorrect or incomplete information while the provision of correct or complete information would have led to a different decision with regard to the awarding of the grant;
- d. the awarding of the grant was not justified while the recipient was aware of this or should have been aware of this;
- e. the recipient no longer meets the conditions as stated in this regulation during the grant allocation period.

**Payment and repayment**

*Article 13 (advance)*

At the recipient's request, an amount up to a maximum of 90% of the total grant awarded can be paid in advance.

*Article 14 (payment)*

The grant is paid in accordance with the amount determined, taking into account any advances paid.

*Article 15 (repayment)*

The amount determined can be wholly or partially withdrawn and the recipient required to repay all or part of the amount if:

- a. facts and circumstances come to light of which the Executive Board could not reasonably have been aware when the level of the grant was determined and on which grounds the grant would have been lower;
- b. the level of grant determined was not justified and the recipient was aware of this or should have been aware of this;
- c. the recipient did not meet the obligations attached to the grant once the level was determined.

**Transitional and final provisions**

*Article 16 (hardship clause)*

In cases where the strict application of the regulation would lead to inequity, the Executive Board may deviate from the regulation.

*Article 17 (revoke and transitional provision)*

1. The Facilities Regulation for Student Organisations has been revoked, taking the stipulations of the following paragraph into account.
2. For student organisations or student activities which were entitled to a grant on the basis of the Facilities Regulation for Student Organisations but which no longer receive this entitlement based on the TU Delft Facilities Regulation, the Facilities Regulation for Student Organisations will remain in force up to and including 1 September 2009.

*Article 18 (commencement)*

This regulation comes into force from the first day after the date of publication of the weekly TU Delft news magazine Delta which announces the regulation. The regulation applies retrospectively from 1 September 2008.

*Article 19 (citation)*

This regulation is referred to as the Facilities Regulations for TU Delft Student Organisations.



## EXPLANATORY NOTES

TU Delft contributes in many ways to the welfare and education of all students, in all facets of university life. This is part of the university's statutory mission, as laid out in Article 1.4, third paragraph of the Higher Education and Scientific Research Act. The provision of services to students and the facilitation of student organisations are tools that serve this objective. The updated facilities regulation focuses on the latter tool: providing support to student organisations. The objective of the facilities regulation is to enable student organisations to operate on a financially sound basis. The organisations represent students' interests, mediate in work assignments and/or create social ties between international students among themselves or with the university in general (standard grant). The regulation also provides financial allowances for new student initiatives (innovation grant).

The regulation compensates student organisations for rent and office expenses (Article 5). The regulation does not cover participatory councils, student associations or the sports/cultural activities of student organisations; TU Delft has separate arrangements for these purposes, such as the Graduation Support Scheme (allowance for expenses related to membership in a participatory council, student association or other body) and the Sponsorship Scheme for sports/cultural events. See Article 2.

The eligibility criteria for financial compensation are clear laid out (Articles 4 and 6) as is the way the available budget is distributed among the officially recognised student organisations (Article 3). The criteria are specifically defined in Article 4. The criterion under f ('not financially self-reliant') means: no commercial objectives. The criteria for innovation grants in Article 6 require a more discretionary assessment by the Executive Board, thereby giving the Board a certain measure of freedom in its implementation of policy. In principle, the innovation grant is a one-off grant for an innovative initiative, but can also serve as a start-up grant for new initiatives that may later become integrated into the fabric of university life. This is why Article 7, second paragraph, provides for a potential continuation grant, but the student organisation in question must demonstrate that it is capable of mounting valuable activities into the future, and in doing so eventually become eligible for a standard grant. Organisations are to submit their plans and budget (Article 7) beforehand and their post-activity balance (Article 10), which will lead to a more solid relationship between the partners in the grant process.

A total of €120,000 is available in 2008/2009, of which 75% will be allocated to grants for existing student organisations or their initiatives, and 25% of which will be made available for new initiatives by student organisations. The budget for standard grants will be allocated proportionally. Applications for innovation grants will be assessed with a specific focus on the degree to which the initiative addresses the common good of the university community (see Article 3). Applications may be submitted to Student & Career Support, Education & Student Affairs, Jaffalaan 9A, 2628 BX Delft. The formal decision will be taken by or on behalf of the Executive Board. Budgetary insolvency is one of the potential grounds for declining an application (Article 7).

The stipulations regarding grant allocation, determining the level of the grant, withdrawal, amendment, payment and repayment (Article 9 and Articles 11 to 15) are consistent with the provisions of the subsidy section of the General Administrative Law Act.

1. *Binding recommendation on continuation of studies (BSA)*  
 The Higher Education and Academic Research Act (WHW) provides universities with the power to issue binding recommendations on continuation of studies (BSA) to first-year students. This means that the university may use BSA to remove a student from the programme: the student will not be allowed to continue studying.  
 TU Delft introduced the BSA in September 2009 (1 September 2010 in the case of the Aerospace Engineering Bachelor's degree programme). From September 2012, each BSc student must earn at least 45 ECTS in the first year of the relevant Bachelor's programme before they will be allowed to continue with the programme. These 45 credits represent three-quarters of the total number of credits that can be obtained in the first year. If this minimum is not met, the student will not be able to enrol for the same programme for a period of four years following the year in which the BSA was issued.
2. *Implementation of BSA*  
 The BSA system applies to all first-year students who are enrolled in a Bachelor's degree programme for the first time in the 2012/2013 academic year.
  - a. No distinction is made between majors or minors or a first or second degree.
  - b. Students who unenrol before 1 February will be exempted from BSA. If the student registers for the same programme in the next academic year, he/she will be regarded as a first-year student and will be subject to the provisions of BSA.
  - c. Students who unenrol after 1 February and who have earned less than 45 ECTS will automatically be subject to the BSA provisions.
  - d. Exceptions can be made for students who have not earned the minimum number of credits due to extenuating personal circumstances and for students who registered after 1 October (for example, those switching programmes mid-semester) (see point 6).
3. *Responsibility for BSA*  
 The Dean issues binding recommendations on continuation of studies. He is advised by the faculty BSA committee consisting of three academic staff members and an Academic Counsellor acting as an advisory member.
4. *Study support and guidance plan*  
 Each Bachelor's programme has study support and guidance plan for the first year, which is available to first-year students at the start of the academic year. The plan includes:
  - Details on the introductory period for first-year students;
  - A detailed description of the mentorship system;
  - The contact details of the Academic Counsellor(s);
  - A schedule showing when formal recommendations are issued;
  - The criteria for these recommendations;
  - What students should do in the event of extenuating personal circumstances;
  - Other forms of guidance offered by the programme.
5. *Academic recommendations*  
 In the first year, formal academic recommendations are issued three times:
 

March:	Based on the results of the first semester. This recommendation includes a BSA warning for those who are not performing well.
August:	Based on the results of the first and second semester. At this stage a recommendation is given on whether or not to continue with the programme of study.
September:	BSA yes or no. Based on the entire first year, including the August exams. The BSA is issued by 30 September at the latest.

All recommendations are issued in writing. The programme offers a guidance counselling session to students who have fallen behind with their studies. The letters also include details on the study support and guidance that is available.
6. *Extenuating personal circumstances*  
 According to the Higher Education and Academic Research Act, the implementation of BSA must take extenuating personal circumstances into consideration. Certain extenuating personal circumstances may be grounds for deferring BSA if it can be reasonably assumed that the student would have met the minimum requirements if not faced with the circumstances in question. Extenuating personal circumstances do not automatically lead to BSA deferral. This also applies to students who switch programmes after 1 October and who have earned fewer than 45 ECTS credits.

### Procedure in the event of extenuating personal circumstances

1. The student reports to the Academic Counsellor that there are extenuating personal circumstances that may affect his/her studies.
2. The Act identifies the following extenuating personal circumstances:
  - a. Illness, or pregnancy and giving birth,
  - b. A physical, sensory, or other disability,
  - c. Exceptional family circumstances
  - d. Falling behind in studies as a result of the way in which the institution organised the programme
  - e. Membership of an administrative body
3. In the first year at TU Delft, board membership as mentioned in Paragraph 2 is of such a limited scope that BSA deferral due to this category of extenuating personal circumstances is not an option, with the exception of membership of the Education Committee.
4. Extenuating personal circumstances should be reported to the Academic Counsellor as soon as possible. In the case of 2.d, the circumstance should be reported to the relevant programme coordinator or director of studies as soon as it manifests itself.
5. Students are themselves responsible for applying for a deferment of the BSA to the BSA committee.
6. If the committee finds that the extenuating personal circumstances have significantly affected the student's academic progress, then the committee may advise the Dean to defer BSA. This means that the student will not be removed from the programme. In the next academic year, however, the student must obtain his propedeuse or earn 45 ECTS credits from the first year curriculum in addition to any ECTS credits already earned.

### Procedure for applicants after 1 October

The BSA committee assesses whether a student who has switched programmes after 1 October and who has earned fewer than 45 ECTS credits may be considered for BSA deferral. If the committee finds that the late registration was a significant factor in the student's not earning the minimum of 30 ECTS credits, then it may advise the Dean to defer BSA. This means that the student will not be removed from the programme. In the next academic year, however, the student must obtain his propedeuse or earn 45 ECTS credits from the first-year curriculum in addition to any credits already earned.

### 7. *Extenuating personal circumstances and the Graduation Support Scheme*

Students who fall behind with their studies due to extenuating personal circumstances may, under certain conditions, be entitled to make use of the Graduate Support Scheme (RAS). In the light of the different objectives and assessment frameworks of the BSA and the RAS, an RAS allocation does not necessarily mean a BSA deferment, and vice versa.

### 8. *Exemptions for students switching programmes*

Students who switch programmes should, in the first year of their new BSc programme, obtain at least 45 EC from the relevant propedeuse programme, or successfully complete the propedeuse in order to be able to continue the programme. If a student has curriculum exemptions, these may:

- a. count towards the BSA minimum if the activity for which the exemption was granted took place in the same academic year as covered by the BSA (this may, for example, be the case if a student switches programmes in the middle of the academic year).
- b. not count towards the BSA minimum if the activity for which the exemption was granted took place prior to the academic year as covered by the BSA (this may, for example, be the case if a student switches to a new programme after a year of studying).

### 9. *Final provisions*

The BSA also applies to Bachelor's programmes that are offered jointly with another institution (BSc in Life Science & Technology and Molecular Science & Technology).

- Additional requirements may apply for the Applies Sciences/Applied Mathematics double degree programme.

**Voor meer informatie**

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