

FONTYS STUDENTS' CHARTER

September **2020**

Institute's section

The Students' Charter lays down students' rights and obligations arising from the Higher Education and Research Act (HRA). It consists of an institute's section and a study programme's section.

Students of the Juridische Hogeschool Avans-Fontys have their own Students' Charter. In addition, on account of their registration at Fontys, the provisions of article 3, paragraph 5, apply to students who are enrolled at Fontys.

This Students' Charter solely applies to students of The Newest Primary Teacher Training enrolled at Fontys. The Students' Charter of Hogeschool Zuyd applies to students registered at Zuyd.

Students of the Juridische Hogeschool Avans-Fontys and The Newest Primary Teacher Training are subject to article 4, paragraph 5, of the Students' Charter when they make use of facilities, buildings and property of Fontys.

Please take note that you cannot derive any rights from this English version of the Students' Charter.
In case of doubt, please consult the original Dutch version.

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CHAPTER I GENERAL

Please take note that you cannot derive any rights on this English version of the Students' Charter. In case of doubt, please consult the original Dutch version.

Article 1 Definitions

Academic year	The period which begins on 1 September and ends on 31 August the following year.
Advisory Committee for Objections and Complaints	Advisory committee established by the Executive Board, which examines objections and complaints directed at the Executive Board, in accordance with articles 42, 47 and 48.
Capacity fixus	The maximum number of students established by the Executive Board who can be enrolled for the first time for the propaedeutic phase of a study programme.
Certificate	The certificate referred to in section 7.11 HRA.
Concurrency	The principle that is based on the requirements that may have to be met by the work done as part of a part-time study programme if the work has been qualified as a unit of study in the Teaching and Examination Rules referred to in section 7.27 HRA.
Decentralised Selection	As from the 2017-2018 academic year, decentralised selection will be performed for every study programme with a capacity fixus in order to determine who can and who cannot be admitted. The criteria and procedures for decentralised selection have been laid down in the Decentralised Selection Scheme.
Dual study programme	The set-up of a dual study programme is such that the participation in educational activities is alternated by one or more periods of exercise of a profession related to that study programme. The study programme includes an educational part and a professional work part. The work part belongs to the educational programme of the study programme.
DUO	Dienst Uitvoering Onderwijs (www.duo.nl)
Examination	The examination which rounds off the foundation year of a bachelor programme or a bachelor or master programme referred to in sections 7.3 paragraph 3, 7.8 paragraph 3 and 7.10 paragraph 2 HRA or of an Associate Degree programme as intended in article 7.10b HRA.
Executive Board	Administrative and management body of Fontys as referred to in the articles of association and the HRA.
Examination board	The board referred to in section 7.12 HRA.
Examination Appeals Board	The Examination Appeals Board referred to in section 7.60 up to and including section 7.63 HRA and article 43, 45 and 46 of the Students' Charter. The rules on the organisation, duties and powers are laid down in the Standing orders established and approved by the Executive Board.

Examination student	Anyone enrolled at the Fontys Foundation as examination student and to whom section 7.36 HRA refers.
Fontys Foundation	The competent authority of the Fontys hogescholen as has been described in the appendix in the HRA.
Fontys	See Fontys Foundation
Fontys Hogescholen	See Fontys Foundation
Full-time study programme	The set-up of a full-time study programme is such that it requires the student's full-time participation in the training courses and leaves no room for any other work.
He/him	He/him is taken here to refer to men, women and individuals who do not identify as either of these options.
Higher Education Appeals Board	The Appeals Board referred to in sections 7.64 up to and including 7.67 HRA and article 43 and 49 Students' Charter.
Higher education bachelor programme	An initial degree programme linking up with secondary education and secondary professional education, as referred to in sections 7.3a and 7.3a paragraph 2 under a HRA that is entered in the CROHO.
Higher education master programme	An initial degree programme which succeeds a bachelor programme, as referred to in sections 7.3 and 7.3a paragraph 2 under b HRA that is entered in the CROHO.
Horizontal transfer	A horizontal transfer takes place when a higher education student enrolls in a study programme of a university or vice versa.
HRA	Higher Education and Research Act (<i>Wet op het hoger onderwijs en wetenschappelijk onderzoek</i> , WHW Staatsblad 593, 1992 and subsequent amendments and supplements.
Institute	Operational unit of organisation for Fontys' core competencies which is responsible for the execution of the primary process.
Institute's director	The staff member in charge of the management of a Fontys institute.
Law	The HRA, the FASA or any other statutory instrument or regulation arising from them.
Legal person higher education	A fully competent legal person responsible for initial bachelor programmes or post-initial master courses. A legal person higher education offers non-government funded programmes.
Participation council	The council or councils mentioned in the Fontys Regulations on the Participation Councils and Degree Programme Committees and that are referred to in section 10.17 HRA.
Part-time study programme	The set-up of a part-time study programme is such that it enables the student to take on work other than following a study programme, if need be.

Prospective student	Anyone who wants to enrol in the Fontys Foundation.
Prospectus	A collection of data which include, among other things, information on the study programme and house-rules, and which refers to the Students' Charter and the Teaching and Examination Rules.
Staff	Anyone with an employment contract with the Fontys Foundation and anyone who is employed by Fontys to work for (an institute of) the Fontys Foundation.
Student	Anyone enrolled at a study programme in accordance with section 7.32 et seq HRA.
Study programme	A coherent combination of units of study aimed at the achievement of well-defined objectives with respect to the knowledge, understanding and skills that must have been acquired by the person completing the study programme as referred to in section 7.3 paragraph 2 HRA.
Study choice advice	Advice issued to a prospective student who has participated in the study choice check in respect of his choice for a specific Bachelor programme or an Associate Degree programme.
Study choice check	The activity offered by Fontys on the basis of which the prospective student is issued advice on his study choice. For international students, there is no digital questionnaire.
TER	The Teaching and Examination Rules referred to in section 7.13 HRA. The TER includes a general section and a study programme's section.
Students' Charter	The Students' Charter referred to in section 7.59 HRA, from which the student's duties and obligations arise. It includes a general part and a study programme's section and is to be called the Charter hereinafter.
Website Legal Affairs	Website of Legal Affairs on the Fontys intranet on which information has been made available by Legal Affairs. http://www.fontys.nl/regelingen https://fontys.edu/About-us/Who-we-are/Rules-regulations.htm
Working week	Every week that is not marked as a week without courses on the Fontys annual calendar. Terms of appeal do not take into account the periods during which there are no educational activities, the Terms Act applies instead and it refers to calendar weeks.
Work placement	A work placement is a period of practical training during a (full-time) study programme preparing the student for the professional practice.

Article 2 Student/Examination student

As far as this Charter is concerned, 'student' also includes examination student, unless indicated otherwise

Article 3 Scope

1. The provisions of this Charter are legally binding only if and as far as they are not contrary to any provision resulting or arising from the law or the Articles of association of the Fontys Foundation. They are deemed to be amended accordingly if any of these rules are amended.
2. Students enrolled in a non-government-funded study programme are subjected to this Charter as far as the HRA makes it mandatory (title 1,2 and 2a of Chapter 7 of the HRA).The following sections do not apply to this group of students:
section 4, paragraph 1 up to and including 4 and 6, (from the attachments mentioned in paragraph 5 only those attachments with the letter 'A' apply),
article 9, paragraph 1, paragraph 3 up to and including 5,
article 10, paragraph 1 up to and including 5,
article 11,
article 12,
article 13,
article 14, paragraph 3
article 16, paragraph 3 and paragraph 9 sub e,
article 17,
article 21,
article 22,
article 23,
article 42a,
article 43, paragraph 4 up to and including 6,
article 44, paragraph 4, 11 and 12,
articles 45 up to and including 49.
3. The scope of this Charter is restricted to anyone enrolled as a full-time student, part-time student or dual student for an initial degree programme (Associate Degree, Bachelor or Master) which is paid for from public funds and for which the Fontys Executive Board is responsible, in compliance with the provisions of article 2, unless this Charter provides otherwise. The HRA serves as a guideline in this matter.
4. The Fontys enrolment conditions state which sections are applicable to other participants in the courses.
5. Students of the Juridische Hogeschool Avans-Fontys have their own Students' Charter. The provisions of the Fontys Students' Charter and related regulations will only apply to students of the Juridische Hogeschool where explicitly stated in the Juridische Hogeschool Students' Charter.

Article 4 Content and publication

1. This Charter lays down the rights and obligations of the Fontys Foundation students and furthermore, as far as relevant here, the corresponding responsibilities of the Executive Board.
2. This Charter includes a general section and a study programme's section.
3. The general section gives information on:
 - a) Educational services, facilities and provisions which apply to the entire institution;
 - b) Students' rights and obligations resulting or arising from the law;
 - c) Rules aimed at the protection of students including a description of the Fontys Foundation objection, complaint and appeal procedures;
 - d) The institution's policy and rules that apply to the entire institute which are elaborated in the study programme's section. These are called appendices in the remainder of this document.
4. The study programme's section includes information on:
 - a) The study programme's section of the TER including rules with respect to work placements and the completion of studies;
 - b) The set-up of the study programme and the supportive facilities offered by the study programme.
This includes in any case:
 - * Information on the set-up, organisation and execution of the training course;
 - * the study programme's student facilities;
 - * the facilities with respect to study support.
 - c) A description of the additional rules and procedures applicable to the institute and/or the study programme.
The Executive Board gives the undertaking that every student is issued with both sections of the Students' Charter, as referred to in paragraph 3 and 4, on his first enrolment. That also includes making them available in digital form. The Executive Board also gives the

undertaking that it makes the appendices, which are part of the general section of this Charter, available to students or can be requested by students at places accessible to them, such as multi media centres, the institute secretariats, the institute service desks, the student counsellors and Fontys website (www.fontys.edu).

All these appendices can be found on the Legal Affairs website (www.fontys.edu, rules and regulations), unless a different url is given.

Appendices* to this Charter include:

- 'Profiling Fund Scheme'¹
 - 'Fontys Rules on the Privacy on the Processing of Personal Particulars of Fontys Students'
 - 'Fontys Regulations on the Participation Councils and Degree programme Committees' (A)
 - 'Fontys General section TER' (A)
 - 'Fontys Rules on Multi Media Centre Services'
 - <http://www.fontysmediatheek.nl/wiki/home/Mediatheekreglement> (A)
 - 'Fontys Rules on Health and Safety at Work and the Environment'
 - 'Rules on the Use of Information and Communication Technology by Students, also known as the ICT code of conduct' (A)
 - 'Fontys Parking Rules' (A)
 - 'Fontys Enrolment Conditions'
 - 'Fontys Student Entrepreneurs Policy and Rules'
 - 'Fontys Study Choice Advice Rules'
 - 'Fontys House Rules and Order Preserving Measures' (A)
 - 'Decision on Camera Surveillance' (A)
 - 'Fontys Whistleblower Rules' (A)
 - 'Top-level athletes scheme'
 - 'Rules for Inspections'
 - 'Student ID card Terms & Conditions'
5. Of the appendices of this Students' Charter mentioned in paragraph 4 the following will also be fully applicable to the students of the Juridische Hogeschool Avans-Fontys and of The Newest Primary Teacher Training when they benefit from the facilities provided by Fontys and/or take courses in the buildings and the premises that are used by Fontys.
- 'Fontys Rules on the Privacy on the Processing of Personal Particulars of Fontys Students'
 - 'Fontys Rules on Multi Media Centre Services'
 - <http://www.fontysmediatheek.nl/wiki/home/Mediatheekreglement>
 - 'Fontys Rules on Health and Safety at Work and the Environment'
 - 'Rules on the Use of Information and Communication Technology by Students', also known as 'the ICT code of conduct'
 - 'Fontys Parking Rules'
 - 'Fontys House Rules and Order Preserving Measures'
 - 'Decision on Camera Surveillance'
 - 'Rules Rules for Profiling Fund Scheme' (*FOS-regeling*).
6. This Charter may be amended by a proposal put forward by the Executive Board or the students section of the Central Participation Council.

CHAPTER II INFORMATION

Article 5 Information for prospective students

The Executive Board gives the undertaking that, prior to enrolment, prospective students can have the following information on request:

1. The objectives of the Fontys Foundation,
2. The organisation of the Fontys Foundation.
3. The entry requirements and additional enrolment and admission conditions, and furthermore information on the exemptions for the entry requirements that may be granted due to previous education and which are described in sections 7.28 and 7.29 HRA.
4. The set-up of the curriculum of the study programme or the Associate Degree Programme, such as the division between the foundation year and the post-foundation year, main subjects, the length of the programme, the average estimated study load and practical training periods.
5. The professions for which the study programme provides training.

¹ Known as Rules on Financial Support for Students (*FOS-regeling*) until 1 September 2017

6. An estimate of the cost incurred by the student when he is following the study programme.
7. The possibilities for a horizontal transfer.
8. Facilities for the (physically) disabled or those who are suffering from a chronic illness.
9. Any facilities for non-Dutch speakers.
10. Possibilities to participate.
11. The Students' Charter.
12. The student facilities.

Article 6 Information for students

The Executive Board or the institute's management sees to it that students are provided with information on those sections of the TER that are relevant to them, such as:

1. The schedule of the study programme and the estimated average study load.
2. Possibilities of a horizontal transfer, if any.
3. The rights arising from the enrolment as a student as referred to in section 7.34 paragraph 1 HRA.
4. Arrangements for students' support and tutoring.
5. Facilities for the (physically) disabled and those suffering from a chronic illness.
6. The requirements and necessary procedures for the issue of an advice regarding the continuation of studies in the foundation year or the first year of an Associate Degree programme.

Article 7 Information relating the individual student

Fontys will provide information relating to an individual student if there is a statutory obligation to do so and in accordance with the Act on the protection of personal data.

- a) The Privacy rules on the processing of personal particulars of Fontys Students apply.
- b) The Privacy rules on the processing of personal particulars of Fontys Students are available for inspection in multi media centres, the study programme secretariats, and student counsellors' office and can be downloaded from <https://fontys.edu/About-us/Who-we-are/Rules-regulations.htm>
- c) Complaints relating to application of the Privacy rules may be submitted to the Data Protection Officer.

See also article 27 of this Students' Charter

Article 8 Rules on making student data available to third parties

These data will not be supplied to third parties, unless:

- a) It is deemed to be in the student's interest.
- b) The obligation to do so arises from a statutory provision.

The student involved may object in writing to each request for the supply of information.

CHAPTER III ENROLMENT

Article 9 Enrolment and reenrolment of students

1. Study choice check and study choice advice
Prior to enrolment, a study choice check is offered that generates a study choice advice. The study choice advice rules state when a prospective student must register, how the study choice check will be offered and how the study advice is issued. In the study-programme section of the TER of each study programme, a clear statement is issued of when the study choice check will take place and which study choice advice will be issued.
2. Conditions
Anyone wishing to be enrolled in an initial degree programme (Associate degree, Bachelor or Master) may do so subject to further conditions set by the Executive Board and provided he meets the requirements with respect to enrolment and the enrolment procedure laid down in prevailing Chapter 2 and 4 of the Fontys Enrolment conditions.
A student will only be enrolled after having met all obligations, such as the timely payment of the tuition fee before the start of the courses (which means, in most cases, before 1 September).
3. Enrolment in study programmes for which a capacity fixus has been established is only possible if a confirmation of admission has been issued. For every study programme for which a capacity fixus has been established, the Decentralised Selection Scheme determines on the basis of which criteria selection takes place and how the selection procedure will be set up.
4. Period of enrolment
The enrolment applies in principle for a full academic year. The academic year begins on 1

September and ends on 31 August of the following year.

The student will receive a certificate of enrolment when he is enrolled. He must be able to produce this certificate on request.

5. Appeal against enrolment

The decision taken by or on behalf of the Executive Board with respect to the enrolment may be subject to appeal to the Higher Education Appeals Board as described in article 49 of this Charter. This appeal can only be lodged after having complained about the decision to the Executive Board first where it met with a rejection.

6. No entitlement to any participation in training courses

Anyone who is not enrolled and yet participates in training courses and/or benefits from educational facilities must compensate the institute for it. This compensation equals the institute's tuition fee for students applicable at the moment. Furthermore, this violation is subject to a penalty of no more than € 4150.= (section 15.2 and 15.3 HRA).

7. Duty to inform

Anyone who fails to give his name and address and produce his certificate at first call to the persons appointed by the Executive Board may be penalized by no more than € 415.= (section 15.4 HRA).

Article 10 Refusal and termination enrolment students

1. By virtue of section 7.37 paragraph 4, Fontys may refuse or terminate a student's enrolment if he does not respect the foundation or objectives of the study programme or the Fontys Foundation. According to section 7.37 paragraph 5 HRA the enrolment can be refused or terminated if it is feared that the student will abuse the enrolment and related rights by seriously violating the special nature of the Fontys Foundation or if it has been proven that the student has abused the enrolment and related rights in such a way, unless section 7.37, paragraph 6 applies.

2. By virtue of section 7.42a HRA enrolment may be refused or terminated if the student has proven, by his conduct and remarks, that he is unfit for the practice of one or more professions for which the study programme provides training or the practical preparation for the professional practice. (See article 42a)

The enrolment can also be refused if the student wants to enrol in a study programme if his enrolment with another institute has been refused for this reason.

3. The refusal or termination of the enrolment referred to in paragraph 1 and 2 of this article is done in writing with reasons (see also article 32 paragraph 4 of this Students' Charter).

4. The enrolment of a student is terminated with effect of the month following the month during which he has received the binding negative advice regarding the continuation of his studies.

5. The enrolment can be terminated after a decision by the Executive Board in case of serious fraud or serious violation of the house rules.

6. The application for reenrolment for an academic year can be refused if the full tuition fees for the previous years have not been paid yet at the beginning of the academic year.

7. If it is not possible to collect an instalment of the tuition fee due, the student will receive a reminder giving him the opportunity to pay yet. If the payment is not made after this reminder, the enrolment will be terminated with effect of the second month after the date of the reminder.

Article 11 Enrolment examination students

1. Enrolment of examination students is possible, provided and to such an extent that the institute's management thinks it not harmful to the nature or the interest of the study programme.

2. Anyone who meets the requirements laid down by or resulting from section 7.24 up to and including 7.29 or 7.30b HRA may be enrolled as an examination student.

3. Only full-time and part-time students can be enrolled as an examination student.

4. Article 9 paragraph 3 applies by analogy.

5. Appeal against enrolment

The decision taken by or on behalf of the Executive Board with respect to the enrolment may be subject to appeal to the Higher Education Appeals Board as described in article 49 of this Charter. This appeal can only be lodged after having lodged an objection about the decision to the Executive Board first.

Article 12 Tuition fee and other costs

1. Admission to study programmes due to the application of the HRA is based only on the payment of the tuition fees by the students and the examination fees by the examination students, unless it

concerns costs that are made for facilities that are not borne by the government and that cannot be provided for in any other way.

2. The HRA lays down that all statutory tuition fees must be indexed annually. They are set on 1 November by the Minister of the year that proceeds the year in which the study programme begins
3. Any costs to the institution arising from statutory obligations relating to the provision of education shall not be passed on to the student.
4. Contributions for excursions, introduction days and learning materials will be kept to a minimum and must be paid by the student. for additional activities.
5. Additional annual contributions may be demanded with the approval of the student section of the Institute's Participation Council. Students who fail to make such contributions will not be able to participate in these additional activities.
6. The institute's management must provide students with an adequate insight into the cost of educational aids and financial contributions well in advance the beginning of the academic year.
7. If the student is required to make a financial contribution for a mandatory component of the study programme, students who cannot or do not wish to do so will be offered a free alternative which will enable them to meet this requirement. Students will be informed in advance of this free alternative (see also Article 21).

Article 13 Financial support for students

1. The Executive Board will give rules with respect to providing support for students regarding a profiling fund. These rules are laid down in the [Profiling Fund Scheme](#) (*FOS regeling*²).
2. The Profiling Fund Scheme provides for students who want to apply for financial assistance on the basis of special circumstances (graduation assistance) or on the basis of board memberships (board membership assistance or fee attendance money). These rules also include the provision for Tuition Fee-free Board membership.
3. Institutes can lay down their own rules with respect to voluntary management positions that are not covered by the Profiling Fund Scheme.
4. In accordance with section 7.51 up to and including 7.51i of the HRA, the Profiling Fund Scheme must provide for, among other things, financial support for a student whose studies are delayed due to special circumstances as a result of which he is no longer entitled to student grants. The standards regarding the amount and duration of these facilities laid down in section 7.51 of the HRA apply in that case.
5. The Profiling Fund Scheme also applies to students who practice top sport.
6. Decisions taken on behalf of the Executive Board with respect to graduation support based on the Profiling Fund Scheme are subject to appeal to the Higher Education Appeals Board as described in article 49 of this Charter, provided an objection is lodged with the Executive Board first.

Article 14 Educational entry requirements and admission

1. Admission with educational entry requirements is laid down in articles 2 up to and including 4 of the general section of the TER, with more details in the articles mentioned of the study programme's section of the TER.
2. In special cases, the institute's management may set different requirements on the educational entry and admissions requirements for study programmes in the field of arts, as described in the Teaching and Examination Regulations (TER) for the programmes in question.
3. Appeal against decisions taken on behalf of the Executive Board with respect to admission lies with the Higher Education Appeals Board as described in article 49 of this Charter. This appeal can only be lodged after having lodged an objection about the decision to the Executive Board first.

Article 15 Further rules on enrolment

1. The statutory provisions with respect to enrolment in a study programme are laid down in Chapter 7, title 2 and 3 HRA. More detailed provisions can be found in the [Fontys enrolment conditions](#).
2. The Fontys Enrolment Conditions include subjects such as:
 - a) further requirements on enrolment
 - b) termination of enrolment;
 - c) the amount of the statutory and institute's tuition fee and the examination fee;
 - d) the reduction, exemption and refund of the tuition fee if possible;
 - e) generally binding provisions.

² Known as Rules on Financial Support for Students (*FOS-regeling*) until 1 September 2017

Article 16 Students' rights and duties arising from enrolment

1. The student's rights arising from his registration will lapse the moment the enrolment is terminated by the student or the hogeschool (see article 10 of this Students' Charter).
2. **Participation in training courses**
A student who is enrolled in the institute is entitled, without reservations to the terms laid down in the Fontys enrolment conditions for the academic year to which the enrolment applies, to participate in the training courses described in the prospectus or the TER. This right also includes the right to switch study programme, subject to the conditions set by the Executive Board (section 7.34 paragraph 1 under a HRA), with reservation to paragraph 5 under a and b.
3. The Executive Board may restrict the admission to training courses with reference to advice given in the foundation year (section 7.9 paragraph 1 HRA), and when the admissibility to the study programme is restricted due to either limited educational capacity (section 7.53 and 7.54 HRA) or the needs of the labour market (section 7.56 HRA). These study programmes have an official capacity fixus. Students can be admitted to such study programmes only if they have received a confirmation of admission. Decentralised selection criteria and the associated procedure have been laid down in the Decentralised Selection Scheme for each study programme to which a capacity fixus applies.
4. Fontys makes a written or digital version of the prospectus available including the applicable rules and/or study programmes.
5. **Sitting tests and (interim) examinations**
Students have the right to sit tests and interim examinations in all teaching units that form part of the teaching programme of the study programme for which they are enrolled and the right to sit examinations from that study programme (section 7.34 paragraph 1 under b HRA). The HRA only gives the following exceptions:
 - a) Sitting an interim examination is subject to having passed another interim examination first
 - b) Sitting an interim examination is subject to participating in a practical training session first.The applicable study programme's section of the TER will give further details on the right to sit tests, interim examinations and examinations.
6. **Access to facilities**
Students have the right to enter and use the buildings belonging to the institute or belonging to third parties and used by the institute and all facilities in them in accordance with the applicable house rules, provided this access and use is required for the study progress and within the regular opening hours, unless the Executive Board or the (deputy) institute's director has restricted the access. (section 7.34 paragraph 1 under c HRA). The rules of conduct can be found on the website <https://fontys.edu>. See also article 34. There may be additional rules per location.
7. **Use of student facilities (section 7.34 paragraph 1 under d HRA)**
Students can benefit from other facilities provided for students such as the student counsellors and student psychologists. Information on the facilities for students can be found in the prospectus (see also article 52 of this Students' Charter)
8. **Study support**
Students are entitled to study support (section 7.34 paragraph 1 under e HRA). Information can be found in the study programme's section of the TER.
9. In addition to provisions elsewhere in this Charter or accompanying special Fontys or institute's rules, enrolment comes with the following rights and duties of the student:
 - a) the duty to ensure that there is a credit balance on the account from which the tuition fee instalments at the moment of collection.
 - b) the duty to attend certain units of study or training courses of the study programme described in the study programme's section of the TER or the prospectus of which the attendance is deemed to be necessary or mandatory from a pedagogical point of view;
 - c) the duty to comply with the reasonable demands made on the student in order to complete successfully an academic year of a study programme described in the TER to which his enrolment applies or to do the activities of his personal activities plan;
 - d) the duty to inform the students counsellor and/or mentor of his study programme of any special circumstances that may affect his study progress as soon as they occur;
 - e) **Right to vote/Right to be elected**
Students have the right to vote and as well as the right to be elected. This means that a student has the right to vote in Central Participation Council elections and the Institute's Participation Council and/or Degree Programme Committee of the programme to which he or

she belongs. It also includes the right to be elected as a member of one of these councils and/or Degree Programme Committee.

f) **Right to complete the study programme**

If the minister or the Executive Board decides to discontinue a study programme, students have the right to complete the study programme within a reasonable period of time at Fontys or elsewhere (section 7.34 paragraph 2 HRA).

Article 17 Rights of examination students

Examination students, in contrast to students, are not allowed to take part in training courses. The examination student can only claim, in accordance with section 7.36 HRA the right to sit tests and interim examinations in all teaching units that form part of the teaching programme of the study programme for which they are enrolled and the right to sit examinations from that study programme. Due to the application of the HRA the condition can be set that sitting an interim examination is subject to having passed another interim examination first. The applicable study programme's section of the TER will give further details on the right to sit tests, interim examinations and examinations. Furthermore the examination student has the right to enter the buildings of the study programme and the right to use Fontys facilities and collections unless the Executive Board thinks it is against the nature or the interest of the training courses.

CHAPTER IV COURSES

Article 18 Denomination

The training courses of the institutes are based on the denomination described in article 2 of the Articles of association of the Fontys Foundation and attendant register for Fontys study programmes. This denomination will be included in the overview of CROHO study programmes that is published on the [portal of Legal Affairs](#).

Article 19 Achieving educational objectives

1. The study load of an initial associate degree programme is 120 credits The study load of an initial bachelor degree programme is 240 credits, unless indicated otherwise.
2. The student must be enabled to complete the study programme within the fixed length of the course. The study programme must distribute the credits proportionally over the different years of study.
3. The Executive Board must evaluate the courses on a regular bases pursuant to section 7.14 HRA.

Article 20 Spreading work placements

1. Any work placement in the curriculum must be mentioned in the TER.
2. Students will receive equal treatment in the granting, spreading or acquisition of the available work placements. The educational objectives are taken into account in this process. In some cases, such as in the case of students who are engaged in board memberships, disabled students, students with top sport or entrepreneur status and students with children, the rule of equal treatment may not be observed. This can happen if the student indicates that he prefers to stay in the place where the institute is located, his direct environment or close to his place of residence. If there are any work placements available in that region these students have a preferential right to be placed there.
3. Students must inform the staff member appointed by the director of the institute of the fact that a relative, friend or acquaintance is working for the organisation or part of it that is contacted for the work placement. If necessary, the examination board will decide whether this work placement meets the objectives laid down in the institute's section of the TER.
4. The work placements students may have found must comply with the requirements laid down in the study programme's section of the TER and / or work placement guide.
5. Students who wish to undertake their (final year) placement in their own business must obtain permission in advance from the Examination Board for their study programme.
6. Students must find a work placement by putting in demonstrable efforts. He must use the support provided by the study programme in the process. More details with respect to the requirements, the support and evaluation are included in the TER and/or the work placement handbook.
7. If a student fails to make adequate progress in his study due to the fact that there is no work placement available for him through no fault of his own, one of the following possibilities apply:
 - a) He can appeal to the [Profiling Fund Scheme](#) referred to in article 13 of this Charter;

- b) He can terminate his enrolment (on a temporary basis) and is entitled to a refund or reduction of his statutory tuition fee.
8. The TER may specify that in the case of part-time or dual study programmes students can use their workplace instead of a work placement. Generally speaking, this is usually the case for part-time or dual study programmes.
 9. Decisions taken with respect to the granting, spreading or acquisition of work placements are subject to the objections procedure before the Executive Board (see article 48 of this Charter).

Article 21 Excursions

1. Participation in excursions is only compulsory if they are included in the description of the study programme in the study programme's section of the TER.
2. The costs incurred by students by their participation in an excursion will be kept as low as possible.
3. Students who cannot or do not wish to pay, will also be allowed to complete an assignment instead, unless the excursion is essential for the study programme and the student was advised that this was the case when he/she enrolled for the programme.

Article 22 Purchase of learning aids and educational tools

1. Institutes where the students section has the right of advice on the purchase of learning aids and educational tools may not lay down purchasing obligations subject to the granting of this advice. Students who do not wish to purchase these learning aids and educational tools will be offered an alternative.
2. The costs for students for the mandatory purchase of learning aids and educational tools will be kept as low as possible.
3. Before the beginning of the academic year students must be as well informed as possible on the learning aids and educational tools they must purchase and the costs involved.

Article 23 Advice regarding the continuation of study foundation year

1. The set-up of the foundation year³ must be such that it enables further orientation on the remainder of the study programme and also referral and selection at the end of the foundation year phase.
2. At the end of the first year of study, every student who is enrolled in the foundation year of a full-time or dual study programme will be issued with a written advice regarding the continuation of his study at Fontys or elsewhere in accordance with section 7.8b HRA. The student will receive a letter before the start of the second semester, which may contain a warning regarding the continuation of his or her studies. The time of issue may be later for students who started later than 1 September. The time of issue with part-time study programmes is laid down in the study programme's section of the TER.
3. The advice includes, in any case, a statement with its underlying grounds with respect to the continuation of the student's present study and an advice with grounds regarding the continuation of the study at Fontys or elsewhere.
4. A binding negative advice referred to in section 7.8b paragraph 3 HRA may be issued to students at the end of the first year of study of their enrolment in the foundation year of a full-time, dual or part-time study programme if they fail to meet the requirements which are laid down in the study programme's section of the TER. The student's personal circumstances will be taken into account.
5. Without prejudice to paragraph 4 of this article, the advice to the student may be issued as long as he has not passed the foundation year examination. Details can be found in the study programme's section of the TER.
6. The binding negative advice will only be issued if the study programme has an adequate system of support and reporting and provided the issue of the warning was before the due date. (in accordance with articles 32 and 33 of the TER)
7. The binding negative advice issued to the student of a full-time or dual programme of this study programme also applies to the part-time programme and to study programmes that share the foundation year, unless the TER lay down otherwise.
8. The binding negative advice is subject to appeal to the Examination Appeals Board.
9. Students can follow their study progress via Progress. The study programme section of the TER lists how the student can obtain an annual overview of the results and credits he has earned, from which rights may be derived.

³ In the case of the Associate degree programme, the foundation year is the first year of the programme.

Article 24 Restrictions on the admission to the main subject

1. The Examination board may decide to restrict the admission of a student enrolled in that study programme to only one or more main subjects if the study programme features more than one main subjects after the foundation year.
2. This restriction in the admission must be included in the TER of the particular study programme.

Article 25 Teaching and Examination Rules (TER)

1. The Executive Board lays down the TER of every study programme or group of study programmes provided by the institute in accordance with section 7.13 HRA.
2. The TER includes rules on matters such as:
 - a. the content of the study programme and attendant interim examinations and examinations;
 - a1. the way in which the teaching within the study programme in question is evaluated;
 - b. the content of the main subject offered of a study programme;
 - c. the qualifications in the field of competences, knowledge, understanding and skills the student must have acquired when he has completed the study programme;
 - d. if necessary, the set-up of a practical;
 - e. the study programme's study load and of each unit of study that is part of it;
 - f. more detailed arrangements with respect to the advice regarding the continuation of studies;
 - g. if necessary, the succession and periods when the interim examinations and examinations are conducted during an academic year;
 - h. whether the study programme has a full-time, part-time or dual programme;
 - i. if necessary, the order, the periods of time and the number of times per academic year the students can sit interim examinations;
 - j. the specific rules as referred to in Section 7.10, paragraph 4 of the HRA regarding validity restriction of interim examinations;
 - k. whether the interim examinations are conducted orally, in writing or in another way, subject to the power of the Examination board to provide otherwise in special cases;
 - l. how disabled students or students with a chronic disorder are given a reasonable opportunity to sit the interim examinations;
 - m. the public nature of oral examinations, subject to the power of the Examination board to provide otherwise in special cases;
 - n. the deadline for the publication of the interim examination results, and if and how this deadline may be deviated from;
 - o. how and when anyone who sat a written interim examination may inspect his assessed work;
 - p. how and when the exam papers and assignments that were used or given as part of the written interim examination and the norms that were used in the assessment can be taken note of;
 - q. the grounds for the exemptions to sit one or more interim examinations granted by the Examination board for higher education examinations or interim examination results or for knowledge and skills gained outside of higher education;
 - r. if necessary, which interim examinations the student must have passed before being admitted to sitting other interim examinations;
 - s. if necessary, compulsory attendance of a practical with a view to being admitted to sitting the attendant interim examination, subject to the Examination board's power to grant exemptions for this obligation, which exemption may be subjected to the imposition of additional requirements;
 - t. the monitoring of study progress and individual study support;
 - u. the actual design of the education programme;
 - v. the options for progressing to one or more bachelor's degree programmes on completion of the Associate degree programme.

Article 26 Quality care policy

1. The Executive Board gives the undertaking that it provides in the conduct of regular assessments of the quality of the activities of the institute by way of an internal audit and in collaboration with all Fontys institutes once every six years.
2. The results of this internal audit will be available to all echelons of the study programme involved.
3. The assessment and execution of the self evaluation preparing for the external quality programme will also be based on the views of students and graduates of the quality of the training courses, including the personnel management.

4. The results of the self-evaluation will be available to all echelons of the study programme in question, the external examiners and, as confidential document, to the external interlocutors who have been invited by the external examiners.
5. The Degree Programme Committees are tasked with safeguarding and advising on the quality of the study programmes.
6. The annual report describes the current policy with respect to the quality of the training courses and research.

Article 27 Notification of successful examination

The Executive Board notifies the Dienst Uitvoering Onderwijs before the end of the second month after the student has passed the final examination. The student will also be informed.

Article 28 Training courses in Dutch

In accordance with section 7.2 HRA, training courses are given in Dutch. There are a number of exceptions to this rule and they are the following:

- a) A study programme about a foreign language;
- b) A guest lecture delivered by a foreign speaker;
- c) If the specific nature, set-up or quality of the training courses or the origin of students makes it inevitable to give the training courses in a foreign language. This must be stated in the study programme's section of the relevant TER. In that case the 'Code of Conduct for teaching in a foreign language' must be met.⁴

If the training course is given in a foreign language as a matter of service, it may involve additional costs for the students.

CHAPTER V PARTICIPATION

Article 29 Guarantees

1. The Executive Board gives the undertaking that (former) student-members of the Central Participation Council, the Institute's Participation Council, Degree Programme Committees, Student councils and Student unions are not harmed in their position vis-à-vis the institute due to their membership.
2. Student-members who feel their position has been harmed due to their membership of the councils named in the previous paragraph can submit their complaint to the Executive Board.

Article 30 Student council and participation bodies

1. The Executive Board enables students, should they wish to do so, to create a Student Council.
2. The Student Council has the power to give advice of its own accord to the Participation Council on matters that are of particular importance to students.
3. The Executive Board sees to it that the Student Council can properly fulfil its activities named in this article.
4. Students who are engaged in board membership activities are entitled to compensation in the way described in the [Fontys Regulations on the Participation Councils and Degree Programme Committees](#) or in the [Fontys Profiling Fund Scheme](#).
5. The powers, composition, elections etc. of the Central Participation Council, the Institute's Participation Council and Degree Programme Committees are laid down in the Fontys Regulations on the Participation Councils and Degree Programme Committees.

⁴ Once the Language and Accessibility Act enters into force, Fontys will adopt a Fontys Language Policy and the 'Code of Conduct for teaching in a foreign language' will expire'.

CHAPTER VI NORMS AND SANCTIONS

Article 31 Proper conduct of affairs, rules of conduct and order preserving measures

1. The Executive Board has determined rules of conduct and order preserving measures in accordance with section 7.57h HRA. In order to maintain the proper conduct of affairs.
2. The rules of conduct and order preserving measures are laid down in the Fontys House Rules and Order Preserving Measures, as referred to in article 4 paragraph 5 of this Charter.
3. Fontys also has [Fontys internal rules for conduct](#) (“Integrity code”), which do not apply directly to students, but which are intended for staff and third parties and/or suppliers. These rules are important for students in order for them to be able to recognise undesirable situations, allowing them to report aberrant behaviour to their student career counsellor or counsellor for undesirable behaviour.
4. Fontys is bound by the [Netherlands Code of Conduct for Research Integrity](#). For students, this code of conduct offers an educational and normative framework (set out in chapters 2 and 3 of the code of conduct). Students are expected to acquaint themselves with this framework and to follow it in their research activities.

Article 32 Respect for foundation and objectives

1. Students must show respect for the foundation(s) of the Fontys Foundation in their conduct. These are mentioned in the Articles of association of the Fontys Foundation and refer to the values and norms of Christianity and the humanist tradition. The foundation of Fontys and its institutes are included in article 2 of the Articles of association of the Fontys Foundation and in the overview of CROHO study programmes that is published on the [portal of Legal Affairs](#).
2. In general, students ought to behave in accordance with the norms and values prevailing in the usual social intercourse.
3. Furthermore, students ought to behave as a good student should. This means that, for example, they may not harm Fontys’ reputation in principle by their conduct or lack of actions inside as well as outside Fontys.
4. The enrolment of a student who does not respect the foundations and objectives of the Fontys Foundation may be terminated or refused (see article 10 of this Charter).

Article 33 Change of address

The student is responsible for the timely submission and checking of the correctness of the registration of his name, address and residence of his domicile as well as his post address to the students’ records. Any changes must be reported through Studielink as soon as possible.

Article 34 Rules on health and safety at work

1. Students must comply with all rules on health and safety at work in Fontys as well as during visits to institutes as part of the study programme. Students must also comply with the Fontys Rules on Health and Safety at Work and Environment (including the Decree on Health and Safety at Work, the Decree on Building and Space Management and the Emergency Response Decree contained in said Rules), the Fontys Rules on undesirable behaviour and the Fontys Parking Rules.
2. Unsafe situations must be reported. Reports must be made to the institute’s management and/or the building’s manager.
3. The student himself is responsible for a healthy way of living, studying and working. He must follow instructions on these matters carefully in order to prevent mental and physical complaints.

Article 35 Directions

1. Students must follow the instructions given by the staff and/or any one who is in charge with the order, cleanliness and safety in the Fontys buildings and on the Fontys grounds.
2. In order to prevent nuisance at parking places, there are specific instructions applicable at some of Fontys parking places. Students must comply with the rules applicable to the location. Details can be found in, among other places, the [Fontys Parking rules](#).
3. The [Fontys Rules on multi media centres](#) lay down provisions with respect to the use of the multi media centres.

Article 36 Proving your identity/ inspection of body and personal belongings

1. A student must be able to prove his identity when he finds himself on the premises or in the Fontys buildings by a valid student card and / or a valid identity card.

2. A student must lend his cooperation to the request to have his body and belongings searched that is made by officials appointed by the competent authorities. See also [Fontys inspection regulations](#).

Article 37 Use of equipment/objects/instruments/computer facilities

1. When using equipment belonging to third parties, the student must exercise due care. Damage caused by loss, embezzlement, theft, destruction or damage must be compensated by the person causing the damage.
2. The [Rules on the Use of Information and Communication Technology by students](#), also known as the ICT Code of Conduct apply.
3. Using a mobile cell phone and other means of communication is not allowed during lectures, a practical, interim examinations and examinations and anywhere where it is so indicated.
4. The use of equipment, objects, instruments and computer facilities is also subjected to article 34 paragraph 3 of this Charter.

Article 38 Use of buildings and grounds

1. Students must use the Fontys buildings and grounds and furnishings in accordance with their destination and with due care. Damage caused by loss, embezzlement, theft, destruction, damage or injury must be compensated by the person(s) causing the damage.
2. The Executive Board or institute's management have no liability whatsoever for any loss, theft or damage to personal belongings in the Fontys buildings or grounds or those used by the student.
3. The provisions laid down in paragraph 1 and 2 also apply to the buildings and grounds belonging to third parties that Fontys is using.

Article 39 Copyright/prevention of violation intellectual property rights

1. Students must comply with the statutory regulations concerning intellectual property. See [the portal of the Fontys Copyright Information Point](#).
2. Students must comply with the statutory requirements and Fontys instructions with respect to the prevention of the violation of intellectual property rights including photocopying books, videotapes, CD's and software belonging to Fontys, and/or the institute and/or third parties. This also means that students must not upload Fontys materials for use outside Fontys.
3. Claims made to Fontys with respect to the violation of intellectual property such as copyright, patent law and rights of licence (on, among other things, software) will be recovered from the student involved, unless agreed otherwise.
4. Once a student has enrolled, Fontys assumes it has his consent to, in certain cases, use images of the student captured during courses, events etc. for publicity reasons, without, in so doing, infringing said person's portrait rights.
5. Copyrights to works the student has created within the framework of the study programme, such as theses, reports, notes, performances, plays, papers and the like, are vested with the student. Fontys may use these works for publicity purposes or enter these in a knowledge bank, such as HBO-Kennisbank, unless this is prohibited by the (work placement) company or other agreements have been reached.
6. The student requires permission from Fontys whenever in an external publication he uses the name Fontys or indicates that he studies at Fontys. This also applies in the case of a work placement with a (work placement) company or institution, unless other agreements have been reached. This shall also apply if within the study programme, Fontys works on a project basis with companies, institutions and other third parties, all without prejudice to the provisions in paragraph 7 of this article.
7. If the student's work is taking place during Fontys contract activities, the intellectual property remains with Fontys or the contract-awarding party during the study programme as well as after the student's leaving the study programme. This will be laid down in the agreement in which the contract activities to be undertaken are also laid down.
8. The institute's management and the student may make arrangements which are contrary to paragraph 4 and 5.
9. The rules on copyright applicable at Fontys can be found on [the portal of the Fontys Copyright Information Point](#).

Article 40 Use of the canteens

The visitors of the canteens must observe the instructions given in the canteen by or on behalf of the Executive Board. Visiting a number of canteens is not allowed when wearing over clothes, laboratory clothes or working clothes.

Article 41 Smoking ban

From 1 August 2020, smoking is forbidden on all Fontys premises, as indicated in the [Fontys House Rules and Order Preserving Measures](#).

Article 42 Actions

1. Anyone who is on the Fontys premises or in the buildings or premises and buildings used by Fontys is subjected to the rules of conduct as set out in, among others, the [Fontys House Rules and Order Preserving Measures](#) (also see articles 31 and 32). The rules of conduct apply accordingly to activities organised by Fontys outside of the Fontys premises and buildings (such as during work placements, excursions and introductory activities).
In addition to the rules laid down in this Charter, the Fontys rules of conduct apply. They can be found on portal and [website](#).
2. Any disciplinary measure or a combination of measures may be taken by the Executive Board, or on behalf of it, in case of non-compliance with the rules of conduct. More details on taking these disciplinary measures can be found in paragraph 4 up to and including 6. The disciplinary measure described under paragraph 4 under f can also be imposed on the advice of the examination board in case of serious fraud.
3. (A combination of) preliminary measures may be taken first in urgent cases. More details on taken these measures can be found in paragraph 7 up to and including 10.
4. The disciplinary measures referred to in paragraph 2 are:
 - a) a warning;
 - b) a reprimand;
 - c) a task;
 - d) refusal of access to specifically named place(s) and/or facilities for no longer than one year;
 - e) refusal of access to the Fontys premises and buildings and/or facilities for no longer than one year;
 - f) termination of the enrolment (see also article 10).
5. The student must be heard by at least two persons before any action described under 4 is taken.
If it is the (deputy) institute's director who takes the disciplinary measure described under 4 under a up to and including d, the student will be heard by the (deputy) institute's director and a second official of the institute.
If it is the buildings manager who takes the disciplinary measure as referred to under 4 under a up to and including d, the student will be heard by the buildings manager and the institute's director or his deputy of the study programme in which he is enrolled. If the institute's director is also the buildings manager, he will be assisted by an official of the study programme in which the student is enrolled.
If it is the Executive Board that takes the disciplinary measure referred to under a up to and including f, the student will be heard by the institute's director of the study programme in which the student is enrolled and a second institute's director to be appointed by the Executive Board.
6. The decision announcing whether (a combination of) measure(s) will be taken, and if so, which one(s), will be motivated and issued to the wrongdoer within two working weeks after hearing him. The decision must also mention the wrongdoer's right to lodge an objection.
7. The preliminary measures mentioned in paragraph 3 are:
 - a) refusal of access to (a part of) buildings and premises owned or used by Fontys;
 - b) refusal of access to specifically named facilities;
 - c) refusal of access to all Fontys facilities (with exception of the services provided by the Student Counselling Office).
8. The institute's director, the buildings manager, or the Executive Board may take the preliminary measures referred to in paragraph 7 under a and b. The preliminary measure referred to under paragraph 7 under c can be taken by the Executive Board only. The student will receive a notification confirming the measure taken against him.
It's not possible to lodge an objection against a preliminary measure.
9. After taking the preliminary order measure, the student's offence will be investigated as soon as possible and it will be examined whether any of the measures referred to in paragraph 4 must be taken. The student will be heard by at least two persons during this investigation within one

working week after taking the preliminary order measure. When it's impossible due to circumstances to hear the student within this term, the student will be informed.

If the institute's director has taken the measure against the student referred to in paragraph 7 under a and b, the student will be heard by the director (or his deputy) and the second official of the study programme or an official of the Accommodation and Support Unit.

If the measure referred to in article 7 under a and b was taken by the buildings manager, the student will be heard, in any case, by the buildings' manager and the institute's director of the study programme in which the student is enrolled. If the institute's director is also the buildings manager he will be assisted by an official from the study programme the student is enrolled in or, additionally, by an official of the Accommodation and Support Unit.

If the Executive Board has taken the measure referred to under a up to and including c against the student, he will be heard by the institute's director and a second institute's director as described under paragraph 5. This hearing also applies to the hearing referred to in paragraph 5.

10. The decision announcing whether (a) (combination of) measure(s) will be taken, and if so, which one(s), will be motivated and issued to the wrongdoer within two working weeks after hearing him. The decision must also mention the wrongdoer's right to lodge an objection.
11. Appeal against the decision referred to in paragraph 6 and 10 lies with the Higher Education Appeals Board in accordance with the procedure referred to in 49 of this Charter. This appeal must be preceded, however, by the student's objection to the Executive Board first as required by article 48 of this Charter.

Article 42a Iudicium abeundi (forced termination of enrolment)

1. On the basis of article 7.42a of the Act, enrolment can be terminated if through his behaviour or statements a student has demonstrated his unsuitability for the exercising of one or more professions for which he is being trained by the study programme he is following or his unsuitability for the practical preparation of professional practitioners.
2. The Executive Board can take this decision at the request of the Examination Board of the study programme at which the student is enrolled.
3. Before the decision as intended in paragraph 2 is taken, the student will be heard by at least two members of the Examination Board. The Examination Board will issue a written recommendation to the Executive Board.
4. The decision according to which termination of enrolment is announced will be notified to the student with supporting arguments, and in writing, within two working weeks after the student in question has been heard. In the decision, the student in question will be informed of the possibility to lodge an objection.
5. An appeal against a decision as intended in paragraph 4 can be instituted by the student(s) involved, with the Appeals Board for Higher Education, in accordance with the procedure as referred to in article 49 of this Charter, after first having duly informed the Executive Board of the objection, in accordance with the provisions contained in article 48 of this Charter.

CHAPTER VII LEGAL PROTECTION

Article 43 Student Desk Appeal/Objections/Complaints

1. There are several legal protection remedies available to a student, which have been laid down in detail in the articles below. The subject matter of his complaint, objection or appeal determines the procedure he has to follow.
2. Regardless of the type of procedure, the student must address his letter (complaint/objection or appeal) to the Student Desk Appeal/Objections/Complaints P.O. box 347, 5600 AH Eindhoven or by e-mail to Studentenloket-beroep-bezwaar-klacht@fontys.nl. The Student Desk ensures the proper processing of the letter. In case the student sends his letter of appeal to the Student Desk, he will be asked to file his appeal via the [portal of the Examination Appeals Board](#). The proceedings before the examination board are conducted by the institute. The student can send his letter directly to his institute's examination board or submit it via the examination board portal in accordance with the procedure of the institute in question. If his letter accidentally arrives at the Student Desk, it will be forwarded to the examination board.
3. Every institute has an examination board pursuant to section 7.12 HRA. Its duties are laid down in the Teaching and Examination rules. A student who does not agree with a decision of the examination board or an examiner can submit this decision for a review by the examination board

(see article 44 of this Charter). This remedy is meant for subject matters such as the courses, tests, interim examinations or examinations, the advice regarding the continuation of studies and the student's progress.

4. A student may lodge an appeal with the Examination Appeal Board (section 7.60 HRA) with respect to, e.g., decisions of examiners and examination boards. Section 7.61 HRA mentions the decisions (also see article 45 and 46 of this Charter). This remedy is meant for decisions pertaining to a negative advice regarding the continuation of studies, the number of credits earned, applications for exemptions, admission to interim examinations and decisions of examiners and examination boards. In principle, this remedy is direct available to the student. It is, however, recommended to apply for a review with the examination board first (see article 44 of this Charter), unless it is in the student's interest to bring his appeal direct to the Board. The student must bring his appeal direct to the Board if he desires to appeal against a negative advice regarding the continuation of studies.
5. The objections procedure before the Executive Board is available to students who want to complain about decisions taken by or on behalf of the institute's management (see article 48 of this Charter). This also includes decisions of the institute's director. Objections can be lodged against decisions with respect to admission to a study programme, decentralised selection, the enrolment, house rules, and order preserving measures. Decisions on graduation support based on the application of the Rules for Profiling Fund Scheme and the restitution of the tuition fee are also included. The objections procedure must have been completed first before the student can bring an appeal to the Higher Education Appeals Board (see article 49 of this Charter).
6. The foundation for the Higher Education Appeals Board can be found in section 7.64 HRA (see article 49 of this Charter), which devotes a detailed provision to this Board's duties. A student can only bring his appeal before this Board after having completed the Fontys objections procedure with the Executive Board or the appeal procedure before the Examinations Appeal Board (see article 45, 46, and 48 of this Charter).
7. A student who does not agree with the actual conduct displayed by a member of staff or organisational matters can lodge a complaint with the Executive Board in accordance with the complaints procedure (see article 47 of this Charter). A student who does not agree with a decision concerning the awarding of fee attendance money as laid down in the Rules for Profiling Fund Scheme is also able to lodge a complaint on that issue.
In addition, any complaints made with regards to the Code of Conduct for International Students can be made using this complaints procedure.
Some institutes have their own internal complaints procedure that can be used. If the procedure in place at the own institution does not lead to the issue being resolved, students who disagree with the director's decision may turn to the Executive Board.
If a student lodges a notice of appeal of objection and a complaint with respect to the same dispute, the hearing of the complaint will be adjourned until the appeal of objection procedure is terminated.
8. A student with a complaint on the protection of his privacy under the privacy rules can file a complaint with the Official for privacy protection (see article 50 of this Charter and article 11 paragraph 4 of the Fontys Rules on the Privacy on the processing of personal particulars of Fontys Students).
9. Furthermore, Fontys has a Complaints Board for Undesirable behaviour (see article 51 of this Charter). A student with a complaint regarding undesirable behaviour conduct can lodge a complaint with this board if he feels that he has a case of undesirable behaviour.
10. And finally: Fontys also has Whistleblower Rules. Anyone who wants to report on an abuse as referred to in the Fontys Whistleblower Rules must do so in accordance with the provisions laid down in articles 3.1 of these Rules with the secretary of the Executive Board.

Article 44 Examination board

1. The composition of every examination board is elaborated in the study programme's section of the TER. When the board hears an application of a student involving a decision of one of its members, the member in question must abstain from voting.
2. A student who does not agree with a decision given by the examination board or an examiner may apply for a review of this decision with the examination board. The subject matter mainly includes interim tests, tests and examinations and matters with respect to the student's progress. A refusal to decide of the examination board or an examiner, too, may lead to a student seeking legal remedy in first instance with the examination board. A student who faces a negative advice

regarding the continuation of studies must bring his appeal direct before with the Examination Appeals Board (see paragraph 4).

3. An application for a review of the decision must be submitted to the examination board within 4 working weeks after the date of the decision.
4. The student may bring his appeal direct to the Examination Appeals Board. It is recommended to use this opportunity for urgent cases and during the holiday periods when the availability of the examination board is limited. An appeal with respect to a negative advice regarding the continuation of studies must be brought direct before the Examination Appeals Board. The Examination Appeals Board must have received the notice of appeal within 6 calendar weeks after the date of the decision of the examination board or examiner (see article 45 and 46 of this Charter).
5. The application for a review must be signed and meet a number of minimum requirements, such as:
 - Name, address, place of residence and phone number of the student;
 - Study programme and student number of the student;
 - Date;
 - A clear description of the decision against which the application lies, accompanied by a copy of the decision or, if the request for a review is directed against a refusal to make a decision or the fact that the decision is not forthcoming, a clear description of the decision that should have been made according to the student;
 - The underlying reasons for the application.
6. The student will be sent an acknowledgement of receipt as soon as possible after the reception of the application. It also gives the term within which the student may be expecting a decision in his case.
7. The student may apply, in writing and with reasons given, for a provisional order issued by the examination board in urgent cases pending the decision in his case. The student must clearly state what order he seeks and why his case is an urgent one.
8. The examination board will examine whether the application should be granted. The student will be heard, in principle, unless it is apparent beforehand that the application will be granted, or has already been granted or the applicant protested his unwillingness to be heard.
9. Except with express permission, the making of audio and/or visual recordings in either a public or closed hearing is prohibited. A request to record audio or visual material during the hearing must be submitted to the secretary no later than two days prior to the hearing.
10. The examination board's decision on the student's application is in writing, with reasons and is signed.
11. Appeal against a decision of the examination board or examiner lies with the Examination Appeals Board. The decision of the examination board or examiner must indicate this possibility of appeal, including the 6 calendar weeks' term within which the notice of appeal must have been brought to the Examination Appeals Board (NB: this is a statutory term that continues to run during holiday periods).
12. When a student wrongly brings his appeal before the examination board (such as an appeal against a examination board's decision on an application for a review) it will be forwarded by the examination board to the Examination Appeals Board. A notice of appeal that is wrongly addressed to the Examination Appeals Board will also be forwarded to the Examination Appeals Board.

Article 45 Examination Appeals Board

1. Fontys has an Examination Appeals Board that is based on section 7.60 HRA. Its members, when it meets for a hearing, are the chairman (a lawyer) and two more members who are Fontys staff (teachers), or otherwise an employee (teacher) and a student of Fontys, appointed by the Executive Board⁵. When an appeal is heard, the composition of the Board is such that none of the teacher-members are involved in the institute that took the decision against which the appeal lies. The Board is completely independent from the institute's management in the performance of its duties. The Board is assisted by a secretary.
2. The Board's composition and procedures are laid down in its standing orders. It may be obtained from the secretary of the Board.

⁵ After the evaluation of the pilot in the 2017-2018 and 2018-2019 academic years, the Examination Appeals Board will be also admitting student members on a trial basis in the 2019-2020 and 2020-2021 academic years.

Article 46 Grounds of appeal and procedures of the Examination Appeals Board

1. A student, including prospective students and former students, whose interests have been directly harmed by a decision of the examination board or an examiner may lodge an appeal against this decision with the Examination Appeals Board. The student, including the former student and the prospective student, is referred to as the applicant in the proceedings.
2. The Board will only hear decisions, which are not decisions of a general nature, pertaining to:
 - a) decisions of examination boards and examiners;
 - b) decisions with respect to a negative advice regarding the continuation of studies in the foundation year (section 7.8b paragraph 3, paragraph 5 HRA);
 - c) decisions with respect to a referral in the post-foundation year phase (section 7.9 HRA),
 - d) decisions with respect to the successful sitting of the final examination (section 7.9d HRA);
 - e) decisions with respect to exemptions (section 7.28 and 7.29 HRA);
 - f) decisions with respect to further educational entry requirements (section 7.25 HRA);
 - g) decision with respect to additional requirements (section 7.26/7.26aHRA);
 - h) decisions with respect to work activities (section 7.27 HRA);
 - i) decisions with respect to enrolment in the post foundation year (section 7.30 HRA);
 - j) decisions with respect to the entry requirements of master programmes (sections 7.30b of the HRA).
3. A decision equals the refusal to make a decision. If a decision is not made within the term laid down by or in the law (if there is no term, not within a reasonable time) the decision is deemed to be refused. It is therefore possible to lodge an appeal against this refusal to decide.
4. The appeal is filed by the submission of a reasoned notice of appeal within 6 calendar weeks after the date of the decision via the portal of the Examination Appeals Board, see www.fontys.nl/studentenloket . It is only possible to file an appeal via the Student Desk Appeal/Objections/Complaints or by regular mail (see article 43, paragraph 2 of this Charter) when a student (prospective or former student) does not have access to the portal. In case the student files his appeal by the Student Desk or by regular mail he will be asked to file his appeal via the [portal of the Examination Appeals Board](#).
Letters of appeal that exceed the deadline of 6 calendar weeks will be declared inadmissible. The declaration of inadmissibility can be omitted if, in all reasonableness, the applicant cannot be considered to be in default.
5. Appeal lies when a decision is contrary to the law. This includes a decision that is contrary to a generally binding provision, (the law), or a general principle of justice or a general principal of proper administration. Examples: reasonableness, fairness, equality, principle of legal certainty, carefulness or the principle of legitimate expectations.
6. The notice of appeal must be signed and meet a number of minimum requirements, such as:
 - Name, address, place of residence and phone number of the student;
 - Study programme and student number of the student;
 - Date;
 - A clear description of the decision against which the appeal lies, accompanied by a copy of the decision or, if the appeal is directed against the refusal or the fact that the decision is not forthcoming, a clear description of the decision that should have been made according to the student;
 - The underlying reasons for the application (see paragraph 5 of this article).A notice of appeal that does not meet these requirements may be declared inadmissible, provided the applicant has been given the opportunity to correct his omissions and has failed to do so within the term set for it.
7. The parents/legal representatives of the student may submit the notice of appeal, provided he has authorised them to do so. The authorized representative must enclose an authorization signed by the student with his notice of appeal. An *advocaat* who is representing the student is not required to submit an authorization.
8. Without explicit consent, it is not permitted to make visual or sound recordings in public meetings or in meetings behind closed doors. A request for making visual and/or sound recordings must be submitted to the secretary at the latest two days prior to the meeting. More details on the conduct of the proceedings before the Examination Appeals Board can be found in its standing orders and the information on objections and appeals in the prospectus.
9. The student will receive an acknowledgement of receipt of his notice of appeal from the secretary, which may also include requests for more information, as soon as possible.
10. The student may seek a provisional order in his notice of appeal. The application must be reasoned and directed to the chairman of the Examination Appeals Board. The student must

clearly state why he seeks the issue of an order, what order he seeks and why his case is an urgent one.

11. The Board will examine whether it is possible to come to an amicable settlement between the parties. If it becomes clear that it is to no avail, a date will be set for the hearing of the appeal.
12. The appeal will be heard in a public meeting, unless the Board decides that (part of the) meeting will be held behind closed doors. The applicant and the examination board, referred to as the defendant, will be invited to attend.
13. The decision will be returned, in principle, within 4 weeks after the hearing. Urgent cases may see the conclusion of the decision sent in an earlier stage, the arguments of the decision following later. If the Board allows the appeal, it will quash the defendant's decision entirely or partly. The Board may not make a new decision that takes the place of the quashed one. It can, however, decide that the defendant must make a new decision and in accordance with the conditions laid down by the Board.
14. Appeal against a decision of the Board only lies with the Higher Education Appeals Board in The Hague (see article 49 of this Charter) within 6 calendar weeks after the date of the decision.

Article 47 Complaints Procedure

1. A student, including prospective students and former students, whose interests have been harmed directly by acts by a staff member of fellow student or organisational matters may lodge complaint with the Executive Board.
This complaints procedure also applies to complaints under the Code of Conduct for International Students.
2. If a student decides to first submit a complaint to the director of their own institution and this complaint leads to a decision with which they disagree, the student can submit a complaint about this decision to the Executive Board, as set out in this article.
However, if this complaint concerns compensation, the complaints procedure set out in Article 48 of this Charter must be followed if the student does not agree with the decision of the director. In this event, he must be able to prove that action has been taken in violation of the law and related regulations.
3. If the complaint pertains to acts by a staff member or a student or organisational matters occurring in a specific institute, it is recommended, if possible, that the student first approach the director of the institute or its internal complaints committee (see part C of the study programme's section of the TER of the study programme).
4. The complaint described in paragraph 1 must be motivated and submitted to the Student Desk Appeal/Objections/Complaints, within 6 calendar weeks after the acts or organisational matters occurred. When the term is exceeded because of circumstances for which the applicant cannot be blamed, it will not be declared inadmissible due to the student's failure to submit the complaint within the time limit.
5. The complaint must be signed and meet a number of minimum requirements, such as:
 - Name, address, place of residence and phone number of the student;
 - Study programme and student number of the student;
 - Date;
 - A clear description of the act or organisational problem the complaint pertains to, including the moment when the act or organisational problem occurred.If the complaint does not meet these requirements, the Executive Board is under no obligation to hear it, provided it has given the complainant the opportunity to correct his omissions within the term set for it and he has failed to do so.
If a student lodges a notice of appeal of objection and a complaint with respect to the same dispute, the hearing of the complaint will be adjourned until the appeal or objection procedure is terminated.
6. The parents/legal representatives of the student may submit a complaint, provided he has authorised them to do so. The authorized representative must enclose an authorization signed by the student with his complaint. This does not apply if the complaint is submitted by an *advocaat* who acts on behalf of the student.
7. Only in very exceptional cases, when the Student Desk agrees, will the student who has no *advocate* be allowed to submit an oral complaint. If he wants to do so he must make an appointment with the Student Desk Appeal/Objections/Complaints as referred to in article 43 paragraph 2 of this Charter by e-mail or telephone (08850-75630 or 08850-78151).

8. The Executive Board is not held to hear the complaint or to hear it any further if the complainant does not or no longer has a personal interest in the complaint or if the Executive Board is of the opinion that the complaint has been dealt with.
9. The complaint will be examined by the Advisory Committee for Objections and Complaints, by order of the Executive Board. This Committee will give its recommendations, based on the results of its examination, to the Executive Board
10. The complainant will receive an acknowledgement of receipt, which may also include a request for more information, from the Advisory Committee as soon as possible.
11. An effort will be made to come to an amicable settlement of the complaint, if the Advisory Committee feels that it may be useful.
12. If the amicable settlement proves to be of no avail, the Advisory Committee will request the defendant to submit a statement of defence.
13. Before making any recommendations to the Executive Board, the Advisory Committee will hear the parties involved. The hearing will take place behind closed doors and the documents that are dealt with during the hearing will be treated confidentially. If necessary, parties may be heard separately. Without explicit consent, it is not permitted to make visual or sound recordings in public meetings or in meetings behind closed doors. A request for making visual and/or sound recordings must be submitted to the secretary at the latest two days prior to the meeting.
14. The Advisory Committee will make its recommendations and the Executive Board will take its decision within 4 weeks after hearing the parties involved. If it proves to be impossible to meet this time limit, the parties involved will be informed accordingly. The decision is in writing and with reasons and will only be sent to the parties involved. No appeal lies against this decision. The Executive Board's decision is not public.
15. Students cannot appeal against the Executive Board's decision on a complaint through the Appeals Tribunal for Higher Education (College van beroep voor het hoger onderwijs).

Article 48 Objection procedure

1. A student, including the prospective student and the former student, whose interests have been harmed directly by decisions of a staff member or the Executive Board made against him may lodge an objection with the Executive Board, unless the appeal procedure before the Examination Appeals Board is available to him (see article 46 of this Charter). The objection procedure is appropriate for those subject matters against which appeal lies with the Higher Education Appeals Board. These are listed in article 49 paragraph 3 of this Charter. See also article 27 paragraph 2.
2. If the complaint pertains to a decision of the director of an institute, it is recommended, if possible, that the student approaches the director of the institute involved first in order to solve the problem. The notice of objection described in paragraph 1 must be motivated and submitted to the Student Desk Appeal/Objections/Complaints within 6 calendar weeks (see article 43 paragraph 2 of this Charter). When the term is exceeded because of circumstances for which the applicant cannot be blamed, the objection will not be declared inadmissible due to the student's failure to lodge the objection within the time limit.
3. An objection can be lodged when a decision is contrary to the law. This includes a decision which is contrary to a generally binding provision, (the law), or a general principle of justice or a general principal of proper administration. Examples: reasonableness, fairness, equality, principle of legal certainty, carefulness or the principle of legitimate expectations.
4. The notice of objection must be signed and meet a number of minimum requirements, such as:
 - Name, address, place of residence and phone number of the student;
 - Study programme and student number of the student;
 - Date;
 - A clear description of the decision the objection pertains to, including a copy of that decision or, if the objection pertains to the refusal or the fact that the decision is not forthcoming, a clear description of the decision that should have been made according to the student;
 - The underlying reasons for the objection.
 A notice of objection that fails to meet these requirements may be declared inadmissible, when the applicant has been given the opportunity to correct his omissions within a certain time limit and he has failed to do so.
5. The parents/legal representatives of the student may lodge an objection, provided he has authorised them to do so. The authorized representative must enclose an authorization signed by the student with his notice of appeal. An *advocaat* who is representing the student is not required to submit an authorization.

6. The Executive Board has requested the Advisory Committee for Objections and Complaints to examine the objection. This Committee will give a recommendation to the Executive Board, based on its findings.
7. The student will receive an acknowledgement of receipt from the Advisory Committee as soon as possible, which may also include a request for more information.
8. The student may apply, in writing and with reasons, for a provisional order in urgent cases pending the decision in his case. He must clearly state what order he seeks and why his case is an urgent one.
9. An effort will be made to come to an amicable settlement of the objection, if the Advisory Committee feels that it may be useful. If the amicable settlement proves to be of no avail, the Advisory Committee will request the defendant to submit a statement of defence. Without explicit consent, it is not permitted to make visual or sound recordings in public meetings or in meetings behind closed doors. A request for making visual and/or sound recordings must be submitted to the secretary at the latest two days prior to the meeting.
10. Before making any recommendations to the Executive Board, the Advisory Committee will hear the parties involved. The hearing is in public, in principle, unless the Advisory Committee decides that (part of) the hearing will be held behind closed doors. If necessary, parties may be heard separately.
11. The Advisory Committee will make its recommendations and the Executive Board will take its decision within 4 weeks after hearing the parties involved. If it proves to be impossible to meet this time limit, the parties involved will be informed accordingly. The decision is in writing and gives reasons and will only be sent to the parties involved. The possibility to appeal the decision must be stated to in the decision, for the student's benefit. The Executive Board's decision is public, unless this is considered undesirable due to the protection of privacy.
12. Appeal against the decision on an objection lies within 6 calendar weeks with the Higher Education Appeals Board in The Hague (see article 49 of this Charter).

Article 49 Higher Education Appeals Board

1. The Higher Education Appeals Board is residing in The Hague.
2. Only when a student has completed the appeal or objection procedure described in article 45, 46 and 48 of this Charter can he lodge an appeal with the Higher Education Appeals Board.
3. According to section 7.66 HRA, this Board has the exclusive competence to hear appeals against decisions of the Examination Appeals Board or the Executive Board based on or arising from the HRA or rules based on it.
4. The notice of appeal must be sent to the [Higher Education Appeals Board](#), P.O. Box 16137, 2500 BC The Hague, within 6 calendar weeks after the decision which qualifies for appeal is taken or was notified to the applicant. In the notice of appeal, the student must state his name, address and e-mail address.

Article 50 Complaints procedure for the violation of privacy

1. A student, including a prospective student or a former student, who has a complaint about the application of the Fontys Rules on the Privacy on the Processing of Personal Particulars of Fontys can lodge a complaint with the Official for the privacy protection (see article 11 paragraph 5, Privacy Rules Students).
2. The procedure described in article 47 applies by analogy. Please read Official for the privacy protection where it says Executive Board.

Article 51 Commission for complaints about undesirable behaviour

The Rules on undesirable behaviour make it possible to complain about harassment, aggression, violence or discrimination to the Commission of complaints about undesirable behaviour. The Commission's address is given in the rules/brochure or can be requested from the student counsellors or [counsellors for undesirable behaviour](#).

CHAPTER VIII STUDENT FACILITIES

Article 52 Student facilities

1. Fontys has a broad range of student facilities available, including the Student Facilities Department.
2. The Student Facilities Department's duties include providing support and information on student facilities and training courses. It includes:
 - a) the student counsellors;
 - b) Student Psychologists;
 - c) the study choice advisers;
 - d) support for students active in representative bodies;
 - e) service for incoming foreign students (accommodation, visa, insurance);
 - f) the Central Student Administration;
 - g) support staff for student sport.
3. Fontys has a Study Abroad Office, which provides services to students wishing to travel abroad during their study. The Study Abroad Office is part of the Service Organisation Education and Research.

Article 53 Student Counselling Office

1. Fontys has student counsellors. The Student Counselling Office offers help, information and advice to students on study and education, being a student and study facilities and it can also be consulted for assistance with objections and complaints.
2. The Student Counselling Office looks after the student's interests in the broadest sense of the word possible.
3. The student counsellors' position is one that involves confidentiality making it necessary that their position within the organisation is as independent as possible.
4. The Student Counselling Office is responsible for the initial help and assistance to disabled students or students suffering from a chronic illness and gives advice to institutes on the supply of suitable and necessary facilities.
5. Appointments can be made directly via <https://fontys.nl/fontyshelpt/Contact.htm>.

Article 54 Counsellors for undesirable behaviour

The Executive Board appoints one or more staff members to act as a counsellor who can treat complaints of students and staff members with respect to undesirable behaviour. They can also assist the student or staff member with the submission of their complaint to the commission for complaints about undesirable behaviour.

The applicable Rules on Complaints about Undesirable Behaviour and the description of the position, powers and duties of the counsellors for undesirable behaviour are available for inspection at the institute's secretariats, multi media centres and student counsellor offices and Fontys on line (www.fontys.edu).

CHAPTER IX FINAL PROVISIONS

Article 55 Liability

1. The Fontys Foundation does not accept any liability for the loss of, theft of or damage to personal belongings in the Fontys buildings and on its grounds of the buildings and grounds it is using.
2. The liability of the Fontys Foundation for culpable non-observance or inadequate observance of these rules will not exceed the amount of the tuition fee/ examination fee paid by the student or examination student in the particular academic year.

Article 56 Enactment and changes

1. This Charter was adopted on 5 July 2001 with consent of the student section of the Central Participation Council, which was given on 5 July 2001.
The changes in this Charter were adopted by the Executive Board on 23 October 2002 with the consent of the students section of the Central Participation Council, which was given on 19 October 2002.

2. The Students' Charter has been annually updated since 2004 and established by the Executive Board with consent of the students section of the Central Participation Council.
3. After the Charter's update of 2020 it was established by the Executive Board on 23 June 2020. The students section of the Central Participation Council granted its permission on 1 July 2020.
4. Any changes of this Charter take place after a proposal submitted by the Executive Board. After having obtained the consent of the student section of the Central Participation Council, the changes are enacted by the Executive Board.

Article 57 Coming into force

This Charter will come into force on 1 September 2020.

Article 58 Unforeseen situations

If there are any unforeseen situations for which this Charter does not provide, the Executive Board decides.

Article 59 Official title

This charter is called 'Fontys Students' Charter'.

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