

Education and Examination regulations

2020-2021



Contents

Prior to	8
1 Education Regulations	9
1.1 Admission Requirements	9
Art.1. General Admission Requirements	9
Art.2. General Diploma Conditions	9
Art.3. Language Conditions	12
Art.4. Learning Account	13
1.2 Registration Regulations	13
Art.5. General	13
Art.6. Registration	14
Art.7. Enroll in Educational Bachelor's and Educational Associate Degree Programmes	14
Art.8. Working students and work paths	15
Art.9. Re-Enrollment after a 3-Year Break	16
1.3 Tuition Fees	16
Art.10. General	16
Art.11. Tuition Fee in Case of Insufficient Learning Account	17
Art.12. Tuition Fees for Combinations of Examination Contracts with Diploma or Credit Contracts	17
Art.13. Tuition Fees for Secondary School Students Entering into a Credit Contract	17
Art.14. Charging Flat-rate and Additional Study Costs	17
Art.15. Deregistration and Change of Study Programme	17
Art.16. Non-Payment	18
1.4 Types of Contracts and Learning Paths	19
Art.17. Diploma Contracts, Examination Contracts and Credit Contracts	19
Art.18. Combination Possibilities of Contracts	20
Art.19. Types of Learning Paths	20
1.5 The Individual Student's Study Programme	21
Art.20. Composition of the Individual Student's Year Programme	21
Art.21. Changing the Annual Programme	22
1.6 Exemptions, Transfer of Examination Grades and Credit Certificates	24
Art.22. Exemption or Transfer of Examination Results	24

Art.23.	Credit Certificate	25
Art.24.	Appeal Possibility	26
1.7	Study Progress Measures	26
Art.25.	Number of Enrollment Opportunities	26
Art.26.	Study advice	26
Art.27.	Refusal of Further Enrollment Based on Binding Conditions	26
Art.28.	Refusal of Further Enrollment on the Grounds of Failure after Sufficient Examination Opportunities for a Particular Course Unit	27
Art.29.	Duration of the Refusal	27
Art.30.	Refusal on the Grounds of an Insufficient Learning Account	27
Art.31.	Appeal	28
2	Examination Regulations	29
2.1	General Provisions	29
Art.32.	Goals	29
2.2	Organization of the Examinations	29
Art.33.	Examination Periods	29
Art.34.	Partial Examinations	30
Art.35.	Partial Evaluations and Continuous Evaluation	30
Art.36.	Interim Tests	30
Art.37.	Time and Place	30
Art.38.	Attending an Oral Examination	31
Art.39.	Examination Schedule	31
Art.40.	Special Arrangements for Graduating Students	31
2.3	Participation in the Examinations	32
Art.41.	Conditions to Taking Part in Examinations	32
Art.42.	Restrictions on Participation	33
Art.43.	Retaking Examination after the First Examination Opportunity	33
Art.44.	Catching Up Examinations from a Specific Examination Period within the Academic Year	34
Art.45.	Legitimate Absence	34
Art.46.	Suspension of Examination	35
Art.47.	Refund of learning account in case of force majeure	35
2.4	Deviating Examination Regulations	35
Art.48.	Special Arrangements in Individual Circumstances	35

2.5	Examinations Taken in Another Study Programme or Institution	36
	Art.49. Time and Place of Examination	36
	Art.50. Deliberation	36
	Art.51. Replacement by an Equivalent Course Unit	36
2.6	The Ombudsperson	37
	Art.52. Assignment, Appointment and Availability	37
	Art.53. Competences and Disputes	37
	Art.54. Incompatibility	37
	Art.55. Report	38
2.7	Course of the examinations	38
	Art.56. Examination	38
	Art.57. Information before the Examinations and Deadline for Submission of Papers	39
	Art.58. Non-Compliance with Contractual Obligations Related to Internship, Workplace learning and Others	39
	Art.59. Examination Format, Duration and Tools	39
	Art.60. Review	40
	Art.61. Administrative processing	41
2.8	The Examination Boards and their Competences	41
	Art.62. Composition	41
	Art.63. Competences of the Select Examination Committee	42
	Art.64. Competences of the Entire Examination Board	42
2.9	Deliberation	43
	Art.65. Presence	43
	Art.66. Confidentiality	43
	Art.67. Voters	43
	Art.68. Consultation of Non-Members by the Examination Board	44
	Art.69. The Examination Board as a College and its Decision and Voting Rules	44
	Art.70. Criteria for Passing a Course Unit	45
	Art.71. Weighting	45
	Art.72. Rounding Rules	45
	Art.73. Criteria for Passing a Course	45
	Art.74. Criteria for Obtaining a Diploma or Certificate and a Degree of Merit	46

Art.75. Deliberation Report	46
2.10 Retaking Examinations on Study Modules and the Deployment of Tolerances	47
Art.76. Retaking Examinations on Study Modules	47
Art.77. The Use of Tolerances	48
2.11 Examination Fraud	50
Art.78. Definitions	50
Art.79. Procedures	50
Art.80. Sanctions	51
2.12 Announcement and Debriefing of the Examination Results	52
Art.81. Announcement of the Decisions of the Examination Board during the Course	52
Art.82. Debriefing of the Results and Right to Feedback	53
2.13 Dispute Settlement and Material Errors	53
Art.83. Conflicts before or during an Examination	53
Art.84. Material Errors Identified for Deliberation	54
Art.85. Material Errors and/or Errors of Assessment Identified after Deliberation	54
3 General Regulations	55
3.1 Rights and Obligations of the Student	55
Art.86. Equal Treatment	55
Art.87. Open Government	55
Art.88. Specific Rights and Obligations	56
Art.89. Protection of Personal Data	57
Art.90. Retention period of documents	58
3.2 Legal Protection and Handling of Complaints	58
Art.91. The Ombuds Function	58
Art.92. Internal Appeal Procedure	58
3.3 Code of Conduct with Regard to the Language Regime	60
3.4 Code of Conduct Regarding the Wearing of Religious Symbols	60
3.5 Disciplinary Regulations	61
Art.93. Description – Scope of Application	61
Art.94. Enforcement of Discipline	61
Art.95. Disruptive Behaviour in Educational Activities	62
Art.96. Sanctions	62

Art.97. Disciplinary Board	62
Art.98. Defense	63
4 Definitions	64

Prior to

The Education and Examination Regulations apply to students and study programmes of the associate degree and bachelor's programmes and the specific teacher training programmes in phasing-out, the HBO5 programmes in phasing out, with the exception of the HBO5 nursing courses.

These regulations also apply to all students participating in a mobility option (incoming or outgoing, including students who come to study at VIVES within the framework of a bi-diploma agreement with a foreign-language institution.).

These regulations are subordinate to the decree provisions relating to higher education and their implementing provisions.

The VIVES programme guide, which is published on educationaloffer.vives.be, contains a complete overview of the educational offer and all ECTS sheets. The content of the programme guide and the study programmes are part of these Education and Examination Regulations.

All references in these regulations to persons and positions refer to both female and male persons.

Deviations from these regulations can only be allowed by the board of directors after advice from the academic council.

Force Majeure, Safeguarding the Safety and Health of Students and Staff

In the event that the university college is confronted with situations of general force majeure or situations in which the safety and health of students and staff members of VIVES may be endangered, the Executive Committee can amend parts of the OER and/or ECTS sheets, to the extent necessary, to be able to organize teaching and evaluation activities or to avoid unnecessary extension of study time for students. Those changes are made after consultation with the student representatives of the Administrative Body and Academic Council and the directors of the study fields.

Other Regulations

These regulations do not apply to postgraduate courses and other trajectories of permanent education courses as well as to HBO5 nursing courses.

1 Education Regulations

1.1 Admission Requirements

Art.1. General Admission Requirements

For admission to a study programme or course units at the university college, the student must in any case meet the statutory conditions with the additions specified below (see www.vives.be/en/degree/requirements). These conditions must be met upon definitive registration.

The specific diploma conditions for each individual study programme and the course units included in it are listed in the programme guide.

These conditions and terms apply to all types of contracts, except for a credit contract or an examination contract in view of obtaining a credit certificate for which the admission committee grants permission to enroll without meeting the admission requirements, that apply to the study programme for which the course unit hears.

The agreement can be dissolved if it appears that the student does not meet the necessary conditions.

In the event of fraud with admission documents, any credit certificates and diplomas obtained will be declared null and void, regardless of when the fraud is established.

Art.2. General Diploma Conditions

§1. For Bachelor's Degree Programmes

Persons admitted to a Bachelor's degree have:

- a. a Belgian diploma of secondary education;
- b. a Belgian diploma of higher education of the short type with full curriculum;
- c. a Belgian diploma of higher education for social promotion, with the exception of the certificate of pedagogical competence;
- d. a diploma or certificate, awarded in the context of higher professional education;
- e. a bachelor's degree or equivalent;
- f. students with a diploma obtained in a country that ratified the Lisbon Recognition Convention are admitted to a bachelor's degree programme if the obtained diploma also grants access to higher education in that country;

- g. students with a diploma obtained in a country that has not ratified the Lisbon Recognition Convention, can be admitted if the diploma obtained in that country gives access to similar higher education and if the students meet an additional competence test, if necessary for the study programme

§2. Voor graduaatsopleidingen

Persons admitted to an Associate degree course reach the age of 18 in the year of enrollment and have:

- a. a Belgian certificate of the second grade of the third stage of secondary education, which has been passed for at least 3 years;
- b. a Belgian diploma of secondary education;
- c. a Belgian certificate of a secondary adult education course of at least 900 teaching periods;
- d. a Belgian certificate of a course of secondary education for social promotion of at least 900 teaching periods;
- e. a diploma of Flemish higher professional education;
- f. a certificate of Flemish higher professional education;
- g. a Belgian higher education diploma of the short type with full curriculum;
- h. a Belgian of higher education diploma for social promotion;
- i. a Belgian bachelor's or master's degree;
- j. a certificate of study that is recognized by virtue of a legal standard, a European directive or an international agreement as being equivalent to 1 of the diplomas/certificates/study certificates stated in points a to i. In the absence of such recognition, the board of the institution may allow persons who have obtained a diploma or certificate in a country outside the European Union that gives access to higher education in that country to enroll in a higher professional education programme.

§3. For Bachelor-after-Bachelor's Degree Programmes

The general admission requirement for a bachelor-after-bachelor programme is a bachelor's degree or a diploma from a university college that is considered equivalent to this.

In addition, a suitability investigation can be carried out, if the prospective student is in possession of a diploma from a bachelor's degree programme other than the one that gives direct access to the bachelor-after-bachelor's degree programme. The programme guide states which specific diplomas grant direct access to an bachelor-after-bachelor degree programme.

The student must also meet the language requirements (as determined in Art.3. Language requirements).

Exceptionally, candidate-students who do not have a bachelor's degree,

but who work in education, can exceptionally also enroll for the bachelor-after-bachelor's degree programme in special education and the bachelor-after-bachelor's degree programme in special educational care and remedial teaching. In this case, the prospective student must also be in possession of a secondary education diploma.

§4. Deviating Diploma Conditions

4.1 Admission Procedure for a Bachelor's Programme

Candidate-students who are not in possession of the above-mentioned diplomas or certificates and who wish to start a professional bachelor's degree may take part in an alternative admission test on the condition that they have reached the age of 21 at December 31st of the academic year at registration. In addition, these candidates must also meet the language conditions and the nationality conditions (<https://www.vives.be/en/admissiontest>)

The prospective student sends a question to admission@vives.be with a request for admission to the university college. The university college then examines through the admissions office whether the candidate has the average suitability level of the incoming students for a bachelor's degree.

The decision of the admissions office applies to admission to similar courses within the institutions of all associations in Flanders.

The result of the admission procedure is in essence valid indefinitely. After five years, the possibility is foreseen to require an update. Candidates receive an admission certificate. If a candidate does not pass the entrance examination - or at an institution of another association - he can only retake after 1 year. In that case, it is up to the candidate to demonstrate that there are serious new reasons for accepting the new request, otherwise the procedure will be terminated automatically.

4.2 Admission Procedure with Regard to an Associate Degree Programme

Candidate-students who are not in possession of the above-mentioned diplomas or certificates and wish to start an associate degree programme may take part in an alternative admission test for associate degree programmes provided that they have reached the age of 18 on December 31st of the academic year at registration. In addition, these candidates must also meet the language conditions and the nationality conditions (<https://www.vives.be/en/degree/requirements>).

The prospective student addresses his question to admission@vives.be with a request for admission to the university college.

The university college examines through the admissions office whether or not the candidate meets the language and diploma conditions. If the student meets the language requirements, but does not meet the diploma requirements, they can register for the admission test for associate degree programmes. The purpose of the entrance test is to establish whether there are sufficient basic knowledge and skills to start a associate degree programme.

It is only possible to participate once in an entrance examination for the associate degree programmes in view of enrolment in a specific academic year. If the candidate-student does not pass the entrance examination for that academic year, he can only retake the entrance examination in view of enrolling in a subsequent academic year. If it is established that the test was taken a second time for the same academic year, the second result will be invalid. The admission certificate for associate degree programmes is in essence indefinitely valid at all universities college in Flanders. After five years, an actualization test could be organized.

Art.3. Language Conditions

§1. Language Conditions for Dutch Courses

No special language conditions apply to students with a Dutch diploma awarded by the Flemish Community or a Dutch diploma awarded in the Netherlands.

Candidate-students with a diploma from outside the Flemish Community are admitted to a Dutch study programme if they meet at least one of the following conditions ([see www.vives.be/languagerequirements](http://www.vives.be/languagerequirements)):

- they prove that they have passed the examinations of at least one academic year in secondary or higher education or a set of at least 60 credits in higher education in Dutch;
- they pass a Dutch examination that, according to the Dutch Language Union, offers a sufficient level for admission to higher education or for a higher level required for a specific study programme. This level is determined in advance by the institution;
- they submit a certificate of a Dutch study programme showing that the prospective student has at least the following level:
 - for an associate degree programme, with the exception of the associate degree educational programme: B1 + of the Common European Framework of Reference for Languages;
 - for a bachelor's degree programme or for the educational associate degree programme: B2 of the Common European Framework of Reference for Languages.

Students may be exempted from this requirement if they are enrolled in the context of a joint or bi-degree pathway.

§2. Language Conditions for English programmes

A prospective student is admitted to a bachelor's degree programme that is organized in English if he can produce a certificate showing that he or she has at least the level B2 of the Common European Framework of Reference for Languages.

For English bachelor's degree programmes, it is assumed that students who have obtained a diploma of secondary or higher education awarded in the Flemish Community or the Netherlands have the required language level.

Students who have obtained an English diploma of secondary or higher education in a country belonging to the "Inner Circle" are also exempt from the language test.

If there is a cooperation agreement in which the language conditions have been checked at the partner institution, the prospective student does not need to submit an additional language certificate.

Art.4. Learning Account

For admission to a bachelor's degree programme, the student must have a sufficient learning account. In accordance with the provisions in *chapter 1.7 Study Progress Measures of these regulations*, deviations from the provisions relating to the learning account may be permitted.

A student who, due to material errors or inaccuracies, has insufficient learning account and does not obtain permission to enroll, can lodge an appeal as determined in Section 3 General Regulations, *Art.92. Internal Appeal Procedure and Rectification of Material Errors or Inaccuracies Request*.

The learning account does not apply to a student who registers for an associate degree programme or a specific teacher training programme, nor does it apply to a student who registers for an educational bachelor's degree programme if he has already obtained a bachelor's degree.

1.2 Registration Regulations

Art.5. General

By registering at VIVES, an agreement is concluded with rights and obligations for both parties. Subject to the special provisions for the examination contract,

students can make use of the services that VIVES offers, both for the studies themselves and for the preconditions. The rights and obligations are further described in *section 3 General Regulations, Rights and Obligations of the Student*.

Unless specific alternative provisions for a particular study programme or a specific contract, a student's enrollment applies for one academic year.

The student commits himself to immediately report any change in his address to VIVES. If the student does not do this, this cannot be explained to the disadvantage of VIVES.

Art.6. Registration

A student enrolling for the first time at VIVES is definitely enrolled when he:

- visits the student administration to complete his registration;
- or
- click on the button “I wish to register online definitively (binding)” in the online registration application

For a student who re-enrolls, the enrollment is final as soon as he has finalized the web application of the re-enrollment.

Art.7. Enroll in Educational Bachelor's and Educational Associate Degree Programmes

Students who enroll in the Educational Bachelor's degree programmes with a degree contract or degree-examination contract must submit valid proof of participation in the government-mandated non-binding entry test for teacher training.

The entry test is imposed by the Flemish Government and is organized by the Flemish University Council. The student can take the entry test digitally at <https://ilo.onderwijskiezer.be/instaptoets.html>

After taking the entry test, the student will receive a certificate of participation. The proof of participation is valid for one academic year. The student therefore makes the version that corresponds to the academic year for which he/she wants to register. The student submits this proof to the VIVES student administration. This is done at registration or no later than 14 days after registration. If the student is unable to provide proof of participation within 14 days after enrollment, the university college will terminate his enrollment. All monies already paid (tuition fees and charges) will be refunded.

A student does not have to take a new entry test to obtain a valid proof of participation if he has already taken an entry test in the past and:

- enroll in an Educational Bachelor's degree programme at VIVES after having been enrolled in the same degree programme (possibly in the old name) at another institution;

or

- enrolls in an Educational Bachelor's programme for pre-primary or secondary education at VIVES after having been enrolled in the Educational Bachelor's programme for primary education (possibly in the old name) at another institution or in VIVES.

The following candidates are admitted to the educational associate degree programme:

- 1° a candidate with five years of professional experience in the relevant teaching subject of the educational associate degree programme;
- 2° a candidate with three years of professional experience in the relevant educational subject of the educational associate degree programme and a study certificate as stated in Article II.176 of the Codex Higher Education of 11 October 2013, or a vocational certificate from VDAB in the field of the educational subject.

If, in the event of non-conformity of professional expertise and professional knowledge, one can demonstrate less than five years of useful experience and one still wishes to register, an assessment is required.

The field of study of education of the university college assesses whether the aforementioned conditions of useful professional experience have been met. A student can appeal against decisions regarding the recognition of useful professional experience as stipulated in *Section 3 General Regulations, Art.92. Internal Appeal Procedure*.

Art.8. Working students and work paths

Working students who enroll in a work route recognized by the government must complete and sign a written statement on the document that is made available by the Student Affairs Office during enrollment.

Submitting this document is a prerequisite for administrative compliance.

The statement means that the student provides information regarding his work situation as follows:

- whether or not he is in possession of proof a certificate of employment of at least 80 hours per month;
- whether or not he is in possession of a certificate of unemployed person entitled to benefits and the course is part of a by a regional employment service proposed trajectory to work;
- whether or not he already holds a second cycle diploma or master's degree.

Art.9. Re-Enrollment after a 3-Year Break

Students who have not been enrolled in a specific programme for three years will be treated again as a student enrolled for the first time in the relevant programme. The acquired credit certificates and their results are retained. For all other applications in the regulation, the calculations are restarted from zero.

Despite any earlier internally imposed study progress measures, these students regain the right to enroll in that study programme and its course units.

1.3 Tuition Fees

Art.10. General

All students who take one or more enrollments pay a fixed amount once upon enrollment, increased by an amount for each credit taken.

The latter amount is variable and depends on the category of student: scholarship student, non-scholarship student or near-scholarship student. The determined amounts can be consulted on the VIVES website <https://www.vives.be/student/funding>.

After approval of the individual study programme, the invoice for the tuition fee, based on the number of credits taken, will be sent.

For the calculation of tuition fees, all enrollments of a student under a diploma and/or credit contract, in the same academic year within VIVES, are considered as one enrollment, except for the following enrollments, which are always calculated separately: bachelor-after-bachelor's programmes, postgraduates and other permanent education tracks that lead to a certificate.

Partial exemptions for a course do not give rise to a reduction of the tuition fee. The student still has to register for course units with partial exemptions.

Art.11. Tuition Fee in Case of Insufficient Learning Account

To a student with insufficient learning account, a negative learning account or a learning account

equal to zero and allowed to register, a special tuition fees is charged for the part of the registration for which he/she has insufficient learning account, in accordance with the provisions of *art 20*.

For Scholarship Students with an Insufficient Learning Account There is No Additional Tuition Fee.

Art.12. Tuition Fees for Combinations of Examination Contracts with Diploma or Credit Contracts

An examination contract always leads to a separate registration.

A combination of enrollment under a diploma and/or credit contract with enrollment under an examination contract is regarded as two enrollments. The regulations regarding the tuition fees apply to both registrations.

Art.13. Tuition Fees for Secondary School Students Entering into a Credit Contract

Students in the last year of secondary education entering into a credit contract for a maximum of 10 credits, pay 50% of the tuition fee of a scholarship student.

Art.14. Charging Flat-rate and Additional Study Costs

Specific and limited costs for the use of goods and the organization of specific events can be passed on to the student insofar as they are directly related to the organization of the study programme. If this is the case, it will be clarified as far as possible in the programme guide of the degree programme before the start of the academic year.

Certain costs are charged on a flat-rate basis.

Art.15. Deregistration and Change of Study Programme

Students who wish to deregister permanently, follow the procedure at <https://www.vives.be/deregistration>.

For a student who discontinues his studies or changes study programme, tuition fees can be reimbursed or recalculated. The amounts are stated on the VIVES website <https://www.vives.be/deregistration>.

For a student who deregisters during the first semester, the following guidelines apply:

- if the student deregisters within 4 weeks after the start of the academic year, he will be refunded the full variable amount per credit; the official starting date of academic year 2020-2021 is 21.09.2020; for those who registered after 21.09.2020, the registration date will be taken as the starting date for the calculation of the refund;
- if the student deregisters within 8 weeks after the start of the academic year, he will be refunded half of the variable amount per credit for the first semester courses and the annual courses; he will receive a full refund of the variable amount for the second semester courses;
- if the student deregisters after 8 weeks, he will only get back the variable amount for the second semester courses.

When a student deregisters during the second semester, the following guidelines apply:

- if the student deregisters within 4 weeks after the start of the second semester, he will be refunded the variable amount per credit for the second semester courses; the official starting date of the second semester of the academic year 2020-2021 is 01.02.2021; for those registered after this date, the registration date will be taken as the starting date for the calculation of the refund;
- if the student deregisters within 8 weeks after the start of the second semester, he will be refunded half of the variable amount per credit for the second semester courses;
- if the student deregisters after 8 weeks, the full tuition fee remains due.

Art.16. Non-Payment

The student commits himself to pay the tuition fee for the chosen study programme, as well as all student invoices relating to syllabi, administration costs, IT, study trips, etc. Invoices must be paid before their due date.

Any inaccuracies on the invoice must be reported in writing before the due date. The accounts are deemed to have been accepted from the expiry of the due date.

Students who drop out during the year undertake to pay for their received course materials for the full academic year, notwithstanding the discontinuation of their training during the academic year.

In the absence of payment by the due date, an annual interest of 7% will be charged on top of the invoice amount by operation of law and without notice.

After a second unsuccessful notice of default, an administrative fee of € 20.00 will be charged, regardless of the size of the outstanding amount. If the university college has to proceed with a judicial recovery, an amount of € 100.00 will be charged to cover its internal administration costs, regardless of the amount of the outstanding debt.

Anyone who does not pay the tuition fee before the set date, even after a reminder, will be suspended as a student as a defaulter and therefore cannot take the examinations. A possible re-registration is only possible after payment of the amounts due for the already completed period. In accordance with article 40 of the examination regulations, neither study certificates nor credit certificates are issued.

1.4 Types of Contracts and Learning Paths

Art.17. Diploma Contracts, Examination Contracts and Credit Contracts

When registering, a student registers for one or more of the following types of contracts:

- 1° a diploma contract in view of obtaining a diploma;
- 2° a credit contract in view of obtaining a credit certificate for one or more course units;
- 3° an examination contract in view of obtaining a diploma (diploma-examination contract) or a credit certificate for one or more course units (credit-examination contract). The study programme determines which courses cannot be taken in the form of an examination contract because of the specific work and evaluation methods they require. In addition to the courses “Internship”, “Bachelor’s thesis” and “Workplace learning” that are excluded from registration under an examination contract in all courses, other courses are mentioned in the programme guide, where appropriate.

A student can only obtain a diploma or certificate if he is enrolled with a diploma contract or with a diploma-examination contract.

By registering, the choice for a type of agreement becomes final.

Art.18. Combination Possibilities of Contracts

A student can register simultaneously or sequentially in the form of:

- multiple diploma contracts; multiple examination contracts; multiple credit contracts for various courses or course units;
- a diploma contract with an examination contract or a credit contract; for various courses or course units;
- an examination contract with a credit contract for various courses or course units.

However, a student cannot simultaneously combine a diploma contract, examination contract and/or credit contract for the same course unit.

A student who has been given the maximum number of examination opportunities for a course in the context of a specific contract type, can no longer get additional opportunities for that course through a change of contract type.

Art.19. Types of Learning Paths

§1. Standard Learning Paths and Programme stages

Each bachelor's programme for which you can enroll with a diploma contract or a diploma-examination contract has at least one model route, divided into programme stages.

For the associate degree programme, the study load per programme phase may be smaller, depending on the target group of the programme.

§2. Standard Learning Path or Flexible Learning Path

Students can follow a standard learning path or a flexible learning path.

Students following a standard learning path in a particular academic year take courses of only one programme stage. Students following a flexible learning path take courses from more than one programme stage in a particular academic year.

An individualized learning path is a learning path in which the student takes courses from several programme stages in the same academic year.

1.5 The Individual Student's Study Programme

Art.20. Composition of the Individual Student's Year Programme

The student composes his individual year programme in accordance with the general rules described in these Education and Examination Regulations and in accordance with the specific rules that apply to the chosen study programme and/or its courses, as described in the programme guide.

The student determines his individual year programme by October 15th at the latest in accordance with the rules applicable to the study programme. After that date, he cannot make any adjustments on his own initiative. Under the authority of the permanent education committee, this proposal will be approved no later than November 15th or a different individual year programme will be established by that date in consultation with the student. The choices made will be definitive from November 15th.

For course units that are only taught during the second semester, the student can, in consultation with ISP responsible, make changes to his choices until February 28th at the latest. After that date, he can no longer make any adjustments on his own initiative. Under the authority of the permanent education committee, this proposal will be approved no later than March 15th, or a different individual year programme will be established by that date in consultation with the student. The choices made are definitive from March 15th.

Students who register after October 15th, determine their annual programme within two weeks of their definitive registration. The ISP responsible approves the individual annual programme as soon as possible or determines a different programme in consultation with the student.

Changes to the choices made will no longer be allowed after the dates of October 15 or February 28th, unless specifically requested and motivated on the condition that the permanent education committee considers the motives serious.

A separate arrangement applies to the alternative forms of training.

When compiling the individual year programme, it is the student's responsibility to check whether there is sufficient opportunity to effectively follow all courses.

The student always first takes compulsory courses from the study programme, for which he was enrolled in a previous academic year, but for which he has not obtained a credit certificate or applied tolerance, before taking other courses.

Students with insufficient learning account record their programme together with the ISP responsible and/or study and learning path counselor.

Art.21. Changing the Annual Programme

§1. Regulations for Students Who Deregister or Change Study Programme

The date of deregistration has consequences for the tuition fee. For bachelor students, the date of deregistration also has consequences for the learning account.

– **Before December 1st**

In case of deregistration before December 1, the student is deregistered with refund of the learning account for all courses with the exception of the courses for which results have already been determined.

– **Between December 1st and March 15th**

In case of deregistration between December 1 and March 15, the student is deregistered without refund of the learning account for the courses of the first semester and the courses spread over the whole year. The student is deregistered with refund of the learning account for the courses that only relate to the second semester, with the exception of the courses for which results have already been determined.

– **After March 15th**

In case of deregistration after March 15, the student will be deregistered without refund of the learning account.

Special arrangement for generation students of the bachelor's programmes:

A generation student who re-orientates and changes study programme before December 1st will receive back the full learning account that has been used for subjects for which he has not yet taken an examination.

When deregistering between December 1st and March 15th, he will still receive half of the learning account for courses for which he has not yet taken an examination in the first semester and for courses spread throughout the year. The student is deregistered with refund of the learning account for the courses that only relate to the second semester.

After March 15th, he will no longer receive back any learning account.

Changing programmes before December 1st means that the student has both been deregistered for the 1st study programme and has been registered for the other study programme before December 1st. If the student does deregister

for the 1st programme before 1 December, but only registers for the new programme after December 1st (and before March 15th), then he will only get half of the learning account that has been used.

This arrangement only applies to registration with a diploma contract. If the student is enrolled with a credit contract and wishes to deregister, he will lose the learning account that has been used.

§2. Changes to Standard Learning Paths by VIVES

Except in cases of force majeure, changes to the programme offer by VIVES have effect for the existing admission agreements at the earliest at the start of the academic year following the one in which the change was approved. VIVES provides appropriate transitional provisions, which, however, do not preclude the immediate entry into force of a programme reform.

1.6 Exemptions, Transfer of Examination Grades and Credit Certificates

Art.22. Exemption or Transfer of Examination Results

§1. Exemptions

An exemption is defined as the withdrawal of the obligation to take an examination for a course unit or part of it, based on a credit certificate, a study certificate or a certificate of competence.

§2. Request for an Exemption

Exemptions for courses of the first semester or year courses must be applied for no later than October 15th, with the exception of alternative study programmes. After that date, a student can no longer rely on previously obtained credit certificates, other study certificates or certificates of competence to adjust his individual year programme. Exemptions for courses of the second semester must be requested before February 28th at the latest.

The student registers his exemption requests in the application on KULoket and provides all requested documents.

The approval of exemptions takes place at the latest together with the approval of the individual year programme, no later than November 15th for the first semester, and before March 15th for the second semester, with the exception of alternative study programmes.

Students who enroll after October 15th must apply for exemptions no later than two weeks after admission to enrollment.

§3. Exemption: Consequences

1. The exemption can be for an entire course unit or for one or more parts of a course unit. Exemptions for one or more parts of a course do not give rise to a reduction of the tuition fee. The student must register for the entire course unit.
2. If an exemption is granted, the examination mark obtained will not be charged again. Contrary to this, previously obtained examination marks will be copied and therefore taken into account in the following cases:
 - a. credit certificates obtained in the context of a credit contract that are subsequently valorized in a diploma contract for the study programme in which the same course units are situated;
 - b. identical course units.
3. In principle, the scope of the exemption for course unit is equal to the

number of ECTS credits of the course unit for which the exemption is granted, unless the head of the programme determines otherwise. The exemption size is expressed in whole ECTS credits.

§4. Application for a Certificate of Competence

A student who believes that he is entitled to a certificate of competence on the basis of previously acquired competences (APEL accreditation of prior experiential learning) follows the procedure that can be found on the website www.vives.be/exemptions.

With a certificate of competence for one or more (partial) competences, a student can go to all universities college of the KU Leuven association to request exemptions based on an PAQ.

Art.23. Credit Certificate

§1. Definition and Recording

Credit certificates for courses included in successfully completed courses are stated on the diploma supplement for that course. Credit certificates for students who leave the university college without completing a particular study programme or without specific individual credit certificates being valorized in a study programme, will be issued by the student administration at the student's request. The credit certificate will not be issued as long as the student has not paid the required tuition fees.

In accordance with Article 80 of the examination regulations, the Examination Board can decide that the student does not receive a credit certificate on the basis of an irregularity committed. Exceptionally, it can also be decided to reclaim previously obtained credit certificates.

§2. Acquiring a Credit Certificate

A student obtains a credit certificate for each course unit for which he has passed in accordance with Article 70 of the examination regulations, after the Examination Board has definitively determined the result. This happens after every examination period.

§3. Size of a credit certificate

If a student has been granted an exemption for a part of a course, he will receive a credit certificate for the whole if he has obtained at least 10 out of 20 for the examination of the remaining part, or has been declared passed according to the criteria that one must meet at non-numerical rating.

A credit certificate cannot be issued for part of a course unit.

Art.24. Appeal Possibility

A student can appeal against decisions regarding the granting and the scope of a certificate of competence or an exemption as stipulated in *Section 3 General Regulations, Art.92. Internal Appeal Procedure.*

1.7 Study Progress Measures

Art.25. Number of Enrollment Opportunities

Every student is entitled to a second registration for the same course units as for which he was registered in a previous academic year and for which he did not obtain a credit certificate, and for the Bachelor's student on the condition that he still has sufficient learning account.

Art.26. Study advice

All students are entitled to study advice, except for students enrolled under the form of an examination contract.

§1. Binding Study Condition

Starters who at the end of the academic year have a study efficiency of less than 50%, are given binding conditions by the Examination Board. These conditions at least imply that the student must achieve a study efficiency of at least 50% in the following academic year, if he registers for the same study programme.

Art.27. Refusal of Further Enrollment Based on Binding Conditions

Registration for a study programme as well as for its course units will be refused under any contract type if the starter has not achieved at least 50% study efficiency in the following academic year at the time that he is given binding conditions.

At the motivated request of the student, the director of the study field can revoke the binding study conditions after advice from the head of the study programme and the study counselor.

A refusal to enroll applies for the next three academic years and for the programme to which one was refused.

Art.28. Refusal of Further Enrollment on the Grounds of Failure after Sufficient Examination Opportunities for a Particular Course Unit

§1. Third Registration

A student who fails for two academic years for the same course unit (or a course unit defined as identically by the study programme in the ECTS sheet), under whatever contract type, will be refused a third registration for the study programme if he:

- did not achieve at least 50% study efficiency for the individual annual programmes when enrolled in the course; or
- failed for two consecutive academic years if he was registered with a credit contract; or
- failed to pass two successive academic years, in the one year with an enrollment in a study programme and only achieved a study efficiency of less than 50%, and in the other year with an enrollment in the form of a credit contract.

§2. Fourth Registration

A student who fails for three academic years for the same course unit (or a course unit defined as identically by the study programme in the ECTS sheet), under whatever contract type, will be refused a fourth or subsequent enrollment for the study programme.

Art.29. Duration of the Refusal

A refusal on the basis of binding conditions or failure to pass after sufficient examination opportunities applies for the next three academic years.

It is possible to deviate from this on a motivated request to the director of the study field.

Art.30. Refusal on the Grounds of an Insufficient Learning Account

A student who has insufficient learning account to start or complete a bachelor's programme:

- is admitted to registration or re-registration for a study programme if his learning account is higher than zero, without prejudice to the internal study progress measures, refusal on the basis of binding conditions or sufficient examination opportunities, and for a maximum of the number of credits for which he still has a learning account;
- will not be allowed to enroll or re-enroll in a study programme if his learning account is lower than or equal to zero.

This does not apply to a student who registers for an Educational Bachelor's programme if the student already has a Bachelor's degree.

The director of the study field can, on the advice of the study counselor and after evaluation of the study track already completed and the possible chances of successfully completing the study programme, still give permission to take up more credits than the number for which the student still has a learning credit or, if the student no longer has a learning account, to start or continue the training anyway. In that case, he will have to pay the maximum tuition fee determined by decree on admission for the part of the enrollment for which he no longer has a learning account. It is possible to deviate from this on a motivated request to the director of the study field.

Art.31. Appeal

A student can lodge an appeal against a measure of study progress monitoring as stipulated in *Section 3 General regulations, Art.92. Internal Appeal Procedure.*

2 Examination Regulations

2.1 General Provisions

Art.32. Goals

These regulations lay down the rules that must guarantee a smooth and correct course of the examinations at VIVES. The task of the examiner is to check whether a student has achieved the learning outcomes and therefore has the competences required for a particular course unit. The task of the Examination Board is to check whether a student has achieved the learning outcomes with regard to the study programme or the whole of the course units and therefore has the competences deemed necessary to succeed.

Each examination must be organized in such a way that the student has the full opportunity to prove the competences required for the course unit. This requires constant care from the examiner, and from all relevant bodies, to guarantee an optimally organized examination for each course unit.

Students are expected to respect the procedures in these regulations.

2.2 Organization of the Examinations

Art.33. Examination Periods

An academic year consists of three examination periods:

- the first examination period that coincides with the first semester of the academic year;
- the second examination period that coincides with the second semester;
- the third examination period after August 15th, in which the second examination opportunity for a course unit can be taken by the student.

The deliberations take place at the end of each examination period.

In exceptional individual cases, the examination committee may keep an examination period open, but no later than September 30th for the last examination period. For students in exchange programmes whose results for the past academic year are not yet known, a decision can exceptionally be made after 30 September.

Art.34. Partial Examinations

The director of the study field may decide that for courses that are organized over two semesters, a partial examination is taken at the end of each semester. This decision will be included in the programme guide.

Art.35. Partial Evaluations and Continuous Evaluation

The director of the study field may allow that for course units consisting of several educational activities, these activities are evaluated separately and in different ways.

The director of the study field can also approve a form of continuous evaluation for an entire course unit.

In any case, it is clarified in the programme guide in which modified form a second examination opportunity is offered, or, if necessary, it is clearly stated that no second examination opportunity is possible.

Art.36. Interim Tests

The results of interim tests organized to orient the first-year students of a study programme are not included in the final results.

Art.37. Time and Place

Except for the application of *Article 45* or a recognized force majeure situation determined by the director of the study field, no valid examination can be organized outside the periods or times stated in *Articles 33 to 36*.

All examinations are taken in a location designated by VIVES, except:

- to be determined by the ombudsperson in case of force majeure; or
- in the case of specific teaching methods or alternative study programmes;
- examinations organized within the framework of and according to the agreements in distance learning.

Art.38. Attending an Oral Examination

Students who wish to do so can have an observer attend the oral examination. The observer cannot be a student who has to take that course unit in that academic year or a student who has to be questioned by the examiner concerned in that same academic year. Nor can the observer be a relative by blood or marriage up to the fourth degree or live with the student. The student notifies the chairman of the examination committee and the ombudsperson at least seven days before an examination ; the latter informs the examiner concerned in good time. The observer can only take written notes.

In consultation with the director of the study field, the examiner may ask a member of the teaching staff to attend an examination.

Art.39. Examination Schedule

The examination regulations and examination schedules state the name of the chairperson and secretary of the Examination Board and that of the ombudsmen.

The examination date for a course unit is communicated to the students at least four weeks in advance.

The provisions in *Article 48* apply to students with special regulations due to individual circumstances.

Examiners and students strictly adhere to the established examination regulations and examination schedules. Examinations can only be rescheduled for serious reasons. The ombudsperson decides sovereignly about transfers within the examination period and in this case makes new arrangements.

Art.40. Special Arrangements for Graduating Students

A student who takes courses that are programmed in the second semester but wishes to graduate after the first examination period must submit a written request to the director of the study field before December 1st.

A positive decision implies that a student takes examinations for courses that are programmed in the second semester or that are spread over the academic year early, in the first examination period. If he then does not take the examination in the first examination period, this implies a lost examination opportunity.

The director of the study field may allow a student to take up his second examination opportunity in the second examination period for course units for which he did not obtain any credit in the first examination period and which he must retake or wishes to retake. The student can request this permission if he meets all of the following conditions:

- he can graduate after the second examination period;
- he participated in all examinations in the first examination period or he was legitimately absent;
- he retakes all examinations in the second examination period or, if necessary, uses tolerance for them.

The student requests this in writing to the director of the study field before the third Wednesday of the second semester.

In the case of an individual rescheduling of an examination, the format of an examination may be different than specified in the programme guide.

2.3 Participation in the Examinations

Art.41. Conditions to Taking Part in Examinations

§1. Tuition Fee Paid

A student can only take part in an examination if he has paid the tuition fees due before the due date or has made an arrangement for this through the STUVO service of VIVES. If this condition is not met, the registration will be suspended. As long as the suspension is not revoked, the student will not be able to access the digital learning environment and will not be allowed to take examinations. If the student has already obtained results, these are considered non-existent and the student will not receive a credit certificate for the course units concerned.

§2. Be Registered for the Course Unit

The course unit must be included in the individual year programme of the student and he may not have obtained any credit for the examination concerned, nor a partial transfer.

A student who nevertheless takes examinations for which he is not enrolled cannot receive an examination mark. The examination is considered void.

§3. Obligations per Course Unit

Participation in an examination may be subject to conditions such as sufficient attendance with regard to practical components, sufficient participation

in group obligations or the timely submission of assignments. Each study programme clearly states in the programme guide for which course units this is the case and what the consequences are of non-compliance with these conditions on the examination assessment. The Examination Board can determine that a student who does not meet the set conditions will receive a zero score or a “fail” for the course unit concerned or part of it, see *Art. 60* below. Assessment.

§4. Verification of Identity

The student must be able to prove his identity at the examination on the basis of his student card. A student who requests this will receive proof of participation in the examination.

Art.42. Restrictions on Participation

A student may take an examination for the same course unit or part of a course unit twice and no more than twice per academic year, regardless of the contracts he may have entered into together or consecutively. An examination not taken is regarded as a taken examination opportunity, without prejudice to *article 44* of these regulations. The programme guide lists the courses for which the student can only be examined once a year due to the nature of that part.

Art.43. Retaking Examination after the First Examination Opportunity

§1. Bachelor’s Programmes, with the Exception of the Shortened Educational Bachelor’s Programme

For course units for which an examination is organized during the first examination period, a new examination can be taken at the earliest in the third examination period. The same applies to partial examinations, partial evaluations and continuous evaluation.

The general director may, on the advice of the academic council and on the proposal of the permanent education committee, allow deviations for certain study programmes, study programmes or course units. These deviations must be communicated to the students concerned at the start of the academic year or at the latest upon enrollment.

The director of the study field may allow students who are in the final phase of their study programme to retake examinations in a subsequent examination period on specific course units for which they have already been examined in an earlier examination period and which they must or wish to retake, as determined in *Art. 40. Special arrangement for Graduating Students*.

§2. Associate Degree Programmes and the Shortened Educational Bachelor Programme

For course units for which an examination is organized during the first examination period, a second examination opportunity is usually organized in the third examination period. The study programme can choose to allow a second examination opportunity in the second examination period. The student who decides to make use of this cannot return on his decision afterwards.

The director of the study field can allow students who are in the final phase of their study programme to retake examination in a subsequent examination period for specific course units for which they have already been examined in a previous examination period and which they must or wish to retake, as stipulated in *Art. 40. Special arrangement for Graduating Students*.

Art.44. Catching Up Examinations from a Specific Examination Period within the Academic Year

A student who, for serious reasons, cannot participate in an examination during a certain examination period, can request to take an examination in the next examination period within one academic year. The director of the study field decides, after advice from the ombudsperson, and determines the examination format after consultation with the examiner.

Art.45. Legitimate Absence

Only absences from examinations, internships or other educational activities with compulsory participation or presence, due to illness or accident, supported by a medical certificate, or due to force majeure judged by the ombudsperson or with the permission of the director of the study field are legal.

- A medical certificate for several days of absence must be dated on the first day of the permitted absence.
- A scanned medical certificate is accepted, the original certificate can always be requested.
- Absences cannot be justified by medical certificates written after the period of absence.
- Dixit certificates are not accepted. Dixit certificates are medical certificates based only on the student's statement and not on a diagnosis.

In the event of unlawful absence, there is no chance of a catch-up examination.

Art.46. Suspension of Examination

A student who is registered for an examination period, and who does not participate in an examination during that examination period, must immediately notify the ombudsperson. The ombudsperson will inform the examination involved as soon as possible. At the latest two days before the deliberation, the ombudsperson also informs the service responsible for administrative processing.

Art.47. Refund of learning account in case of force majeure

Students who, due to force majeure, have not been able to take any examination opportunity, can turn to the Council for Disputes regarding Study Progress Decisions for a refund of the learning account.

2.4 Deviating Examination Regulations

Art.48. Special Arrangements in Individual Circumstances

On the basis of exceptional individual circumstances and for students with a recognized status for education and examination facilities, a spreading of examinations between different examination periods may be allowed while retaining the model route or their individualized route. The distribution options are determined by the director of the study field and the student cannot deviate from this on his own initiative. The spread may include students who:

- have a serious disability;
- have serious medical reasons;
- are recognized as a top athlete or artist;
- have the status of student entrepreneur;
- work full-time and follow a full-time training which requires them to complete at least 54 credits;
- combine two full-time courses, which requires them to complete at least 54 credits for each of the courses;
- be student representatives, insofar as their representative work would directly interfere with participation in the normal examination series or examination modalities;
- Due to religious festivals of the religions recognized in Belgium, different examination arrangements may be permitted.

However, allowing examination deferral does not automatically imply the possibility of deviations from explicitly compulsory attendance or from the

forms of work and examination used. If exceptionally necessary, a specific arrangement will be worked out with the ombudsperson concerned. This shall in any case be done for student representatives for whom an exceptional arrangement is justified.

Applications are submitted to the director of the study field no later than one week after publication of the examination schedules.

2.5 Examinations Taken in Another Study Programme or Institution

Art.49. Time and Place of Examination

If a student takes course units in another study programme or at another national or foreign institution of higher education, the examination for these course units is taken at the time, place and under the conditions determined by that study programme or the institution concerned.

Art.50. Deliberation

If necessary, the result of an examination taken at another institution of higher education, will be transposed in accordance with the ECTS guidelines and under the supervision of the select examination committee. The student has been informed about the transposition rules before his departure.

Art.51. Replacement by an Equivalent Course Unit

To students who did not obtain a credit certificate for a course unit, because they did not pass the examination they took at a foreign institution of higher education, the director of the study field may grant permission to take a VIVES examination in a subsequent examination period of the same academic year for an equivalent course unit. This only applies if the student does not have the opportunity to use a second examination opportunity in the foreign institution within the academic year.

2.6 The Ombudsperson

Art.52. Assignment, Appointment and Availability

The ombudsperson mediates between examination and students. He must be able to fulfill his mediation role in complete independence.

For each group of students, in each academic year, the director of the study field, after advice of the permanent education committee, appoints a member of the teaching staff or another staff member with relevant experience in educational matters, as ombudsperson and another as deputy ombudsperson no later than September 15th, who shall exercise this function during all examination periods of that academic year. At the time of appointment, the director of the study field will also make arrangements for the administrative support of the ombudsperson.

Art.53. Competences and Disputes

Where necessary, the ombudsperson mediates on the date, place, forms and conditions in which an examination will be taken, without prejudice to the specific competences laid down in other articles.

In order to be able to carry out his duties properly, the ombudsperson has the right, from his mediation role, to receive information about each examination, also prior the deliberation of the Examination Board. The ombudsperson fulfills his task with the utmost discretion.

The ombudsperson is not a member of the examination committee, but takes part in the deliberations in an advisory capacity. He also participates as an observer in the discussions in the select examination committee.

The director of the study field monitors the authority and independence of the ombudsperson. Disputes regarding the competence of the ombudsperson or his independence can be submitted by the ombudsperson and any examiner at any time to the general director who takes a decision on the dispute.

Art.54. Incompatibility

Under no circumstances may the ombudsperson evaluate the students for whom he acts as ombudsperson. If, exceptionally, the ombudsperson has nevertheless cooperated in the evaluation of a student for a course unit, the deputy ombudsperson will take his place.

Art.55. Report

After the last examination period of each academic year, the ombudsperson provides the director of the study field with a report on the activities. These reports are discussed in the permanent education committee at the beginning of the next academic year.

2.7 Course of the examinations

Art.56. Examination

Each examination or part of an examination is taken by the lecturers of the course unit or by those who have officially replaced the lecturer for teaching the relevant lecture or conducting the activities or exercises in question.

In the event of a relationship by blood or affinity up to and including the fourth degree between a student and an examination, in the case of cohabitation of a student and an examination or in the event of force majeure on the part of the examination, the examination will request the chairman of the Examination Board to appoint a deputy.

If several lecturers act as examiners for one course unit while each student is assessed by only a few of them, or if only one lecturer from a number of co-lecturers assesses each student, it will be announced at the latest one month before the start of the examination in question which lecturers will be examination which students.

Examination on educational activities other than lectures may be conducted by examination who are not lecturers, insofar as they were involved in the organization of the educational activity. The lecturer remains fully responsible for the final assessment.

In their absence, examination on course units or educational activities taught by guest lecturers are taken by another examination, appointed by the director of the study field.

An external expert who takes part in the assessment of a student for a course unit can never act as the person with final responsibility for a course unit.

Art.57. Information before the Examinations and Deadline for Submission of Papers

The ECTS sheet provides detailed information for each course unit about its content and objectives, the examination material and the method of evaluation, including the weighting of any components for which a partial mark is awarded and including the consequences of not participating in a component of the examination. If, exceptionally, the examination material or evaluation methods differ from one examination period to another, this will be stated in the ECTS sheet.

If a specific deadline has been set for submitting a paper and a student foresees that he will not be able to comply with a specific deadline for valid reasons, he must contact the lecturer before the indicated due date, who can set a new submission deadline. The study programme can determine in its regulations that, if the submission deadline is not respected, the paper will be considered as not submitted and that the student will receive a zero for this assignment or it will be considered “not taken”. In each case, this sanction must be stated in the ECTS sheet. If such a sanction is foreseen, it shall also apply in the event of failure to comply with a newly authorized time limit.

Art.58. Non-Compliance with Contractual Obligations Related to Internship, Workplace learning and Others

The degree programme may determine in its regulations that if a student repeatedly or seriously fails to comply with the obligations imposed by an internship agreement or a workplace learning agreement or another agreement with VIVES and/or third parties, the agreement will be terminated. It also determines whether the student receives a zero for the part of the course or whether it is considered “not taken”. In each case, this sanction must be stated in the ECTS sheet. In this case, the student is not entitled to an alternative assignment.

Art.59. Examination Format, Duration and Tools

The form of the examination is determined according to the objectives of the course and the teaching method. The examination form is determined by the permanent education committee on the recommendation of the teacher. The most recently approved examination form remains valid as long as no other decision is made. Unless explicitly stated otherwise to the students, each examination takes place without the use of any tools.

In the case of an individual rescheduling of an examination, the format of an examination may be different from that specified.

A written preparation time of at least fifteen minutes is normally allowed for an oral or partially oral examination. An exception can be made for oral examinations in which direct communication skills and other skills are tested. The application of these exceptions is worked out by the director of the study field in consultation with the examiner concerned via the examination schedule and timetables. The student can forgo a written preparation time.

In the case of an oral or partly oral examination, the examiner provides various series of questions. When assigning a question series to a student, the element of chance must be guaranteed.

For compelling reasons, a student can ask the ombudsperson to take examination in a different way than the established way. The director of the study field decides on this after advice from the ombudsperson.

Persons with education and examination facilities can call upon the ombudsperson to take the necessary practical measures to enable them to participate in the examination in an appropriate and fully-fledged manner.

An examination that consists of an assessment at one particular moment may take a maximum of half a day, approximately four hours.

Art.6o. Review

Each course unit is assessed on twenty points. The result is expressed in whole numbers only. The PEC (Permanent Education Committee) can decide that an assessment for a course unit will take place in the form of a pass / fail decision. The statement will be included in the programme guide.

One or more evaluation activities take place for each course unit within a programme. There are three options:

- a course unit (CU) with one educational learning activity (ELA) and only one score;
- a course unit with multiple educational learning activities and a score per educational learning activity;
- a course unit with multiple educational activities and only one score for the entire course unit

The assessment for an educational learning activity can consist of various evaluation components, each with its own score.

Any scores for evaluation components are converted by the lecturer into one final score out of twenty points before the deliberation. If the student does not participate in one of these evaluation components, a 0 score is assigned for this evaluation component. If the student does not take any evaluation component, the evaluation activity is rated as “not taken” (NA). In these examination regulations, NT is considered to be equivalent to a non-tolerable fail mark; see Art.77. Use of Tolerances. This NT score leads to an NT score for the OPO.

Deviating success criteria are stated in the ECTS sheets and must be approved in the POC.

Art.61. Administrative processing

The examiner communicate their examination assessment to the competent administrative service as soon as possible after the examination.

This communication is made for each examination period in the prescribed form no later than two working days before the deliberation.

2.8 The Examination Boards and their Competences

Art.62. Composition

A select examination committee and a full examination committee are established for each study programme.

The director of the study field chairs each examination board in his study area. He determines the composition of the Examination Board and appoints a secretary. The secretary can also be a non- examiner, but never the ombudsperson.

The director of the study field determines the number of members of the Examination Board for each study programme. He also determines how members are appointed and whether alternates can act.

The Examination Board has a representative composition. It consists of at least six members, except in programmes where all examination together, including the chair and the secretary of the committee, fail to achieve that number.

The ombudsperson participates in the advisory vote of the Examination Board for the study programme for which he is appointed and attends every meeting of the Examination Board or the select examination board.

Art.63. Competences of the Select Examination Committee

The chairman and secretary of the examination committee form the select examination committee, in the presence of the ombudsperson, who has an advisory vote.

After each examination period, the select examination committee definitively determines the results of the examinations for the course units, with the exception of the results of the students who can graduate after the examination period. It prepares the deliberation by the Board of Examiners as a whole.

For registrations for a credit contract or an examination contract with a view to obtaining individual credit certificates, it will finalize the results with a view to whether or not to issue a credit certificate.

It records the results of exchange students for whom the results reach the institution late.

The select examination committee acts in the cases specified in *Article 68. Consultation of non-members by the Examination Board* with regard to the hearing obligation and the right to be heard of students and examiners. It corrects material errors that have no influence on passing a course unit or a study programme or the degree of achievement, as stipulated in *Article 85. Material errors and / or errors of assessment identified after deliberation.*

Art.64. Competences of the Entire Examination Board

It is the task of the Examination Board to determine whether a student has achieved the learning outcomes with regard to the study programme or course units and therefore has the competences deemed necessary to pass them.

After each examination period, the Examination Board of the study programme definitively determines the examination marks for each student and determines whether a student has passed a study programme and with which degree of merit.

The determined results can only be changed to the student's disadvantage if a serious irregularity is established. They can still be amended in accordance with the procedure and within the time limit laid down in *Article 57 On Material Errors.*

In the second and third examination periods, the Examination Board is obliged to set binding conditions for students who still have to complete more than 120 credits of their bachelor's programme and who have not achieved a 50% study

efficiency. Nevertheless, on the basis of force majeure or special individual circumstances, it can also decide not to impose binding conditions or to offer the student one additional academic year the opportunity to meet the binding conditions. The decision of the Examination Board to extend compliance with the binding conditions or not to impose binding conditions is carefully motivated.

After each examination period, the Examination Board decides on students for whom force majeure or other special circumstances can be charged. In such a case, the Examination Board can decide to consider one or more non-tolerable fail(s) as tolerable and to set off as such with regard to the 10% tolerance rule, as described in *Article 73*. It can also decide to deviate positively from the 10% tolerance rule. The decision of the Examination Board in such cases is carefully motivated.

The Examination Board also has the right to give advice and/or to impose special study progress measures on individual students.

2.9 Deliberation

Art.65. Presence

The members of the Examination Board participate in the deliberation and sign the attendance list. The Examination Board makes a valid decision when at least half of the members or, where appropriate, their deputy is present. A member who is legally unable to attend must inform the chairman of the examination committee as soon as possible.

If certain students have to remain available to the Examination Board during the deliberation, they will be informed of this in advance on the initiative of the chairman of the Examination Board.

Art.66. Confidentiality

The members of the Examination Board and all persons present at the meeting are obliged to maintain secrecy regarding the deliberations and voting.

Art.67. Voters

All members of the Examination Board have an equal, casting vote.

Members of the Examination Board do not participate in the deliberation on

decisions with regard to blood and affinity relations up to and including the fourth degree or with regard to students in whom they have a personal interest.

Members of the Examination Board about whom it is suggested that a mark awarded by them to an individual student or a group of students is manifestly unreasonable, do not participate in the deliberations about this student or this group of students.

The ombudsperson takes part in the deliberations in an advisory capacity.

Art.68. Consultation of Non-Members by the Examination Board

Any examiner who is not a member of the Examination Board can, at his request, always be heard by the select Examination Board and the Examination Board. The same applies to every student on whom a decision will be taken by the Examination Board.

In the event of examination fraud, the select examination committee must, before the examination committee can make a decision, hear the examiner of the course unit in which the examination fraud was established. The select examination committee must also hear the student concerned, in the presence of the ombudsperson.

If the select examination committee is of the opinion that the grade proposed by an examiner is manifestly unreasonable for an individual student or for a group of students, it must hear the examiner before the examination committee can make a decision.

The Examination Board itself can always decide to hear an examiner who is not a member of the Examination Board about a decision it proposes.

Art.69. The Examination Board as a College and its Decision and Voting Rules

The Examination Board acts as a college. A decision about a student is adopted by the Examination Board by a simple majority, i.e. more than half of the members present.

At the proposal of the chairperson or if a member of the committee or the ombudsperson so requests, a decision, both during and at the end of the programme, shall be taken by secret ballot. Votes shall not include invalid votes and abstentions. In the event of a tied vote, the most favourable proposal for the student is considered a decision of the committee.

Art.70. Criteria for Passing a Course Unit

The student passes a course if he obtains at least 10/20 or the mark “passed”.

In both cases, the student obtains a credit certificate unless he has not paid the tuition fee on time or an irregularity has been established for which the student will be sanctioned.

Art.71. Weighting

To determine the percentage achieved for an entire study programme, the points obtained for each course unit are weighted according to the number of credits associated with it.

The courses that are assessed according to the pass/fail model are not included in the calculation of the percentage.

Art.72. Rounding Rules

For the purposes of *Articles 73, 74 and 76*:

- the student’s aggregated results of are rounded to the underlying percentage for the decimals 0.1-0.4 and upwards for the decimals 0.5-0.9;
- the number of credits that correspond to the application of the 10% rule and the 50% study efficiency rule is rounded to the underlying number of credits for the decimals 0.1-0.4 and upwards for the decimals 0.5-0.9.

Art.73. Criteria for Passing a Course

A student passes a study programme if he meets condition a or simultaneously conditions b and c and d:

- condition a: for all programme components of the programme within the diploma contract or the examination contract with a view to obtaining a diploma, he has been exempted or passed 10/20 or has been assessed “passed”
- condition b: he obtains at least 50% for the programme as a whole as a weighted percentage;
- condition c: he obtains a maximum of 10% tolerable fail marks for the credits he enrolled for in the course, limited to the number of ECTS credits of the model track of the programme as a whole. Tolerable fail marks are assessments of 8 or 9 out of 20.
- Condition d: he has passed all programme components with an assessment passed/failed.

Contrary to what is stipulated in c above, the general director may, at the

proposal of the Permanent Education Committee and after having obtained the advice of the Academic Council, decide that for certain programme components a failing grade is not tolerable and such a failing grade always leads to a fail. These deviations are included in the programme guide.

Art.74. Criteria for Obtaining a Diploma or Certificate and a Degree of Merit

Students who have passed a programme in accordance with the criteria laid down in *article 73*, shall obtain the diploma or certificate of the programme.

An overall degree of distinction is awarded to students for the whole programme, if the student has obtained an average (weighted or not weighted) for all ECTS credits of the programme, corresponding with:

- cum fructu, if less than 68% has been obtained;
- cum laude, if 68% or more has been obtained;
- magna cum laude, if 77% or more has been obtained;
- summa cum laude, if 85% or more has been obtained;
- summa cum laude with congratulations of the Board of examiners, if 90% or more has been obtained.

No level of achievement (grade) shall be awarded to students whose actual programme of study, following reduction because of exemptions, amounts to less than 20 study points. The overall classification for these students is “passed”.

An individual student who does not meet the criteria for obtaining a certain degree of merit may still be awarded this degree of merit, if the Examination Board:

- determines force majeure;

or

- decides to do so in a justified manner. This motivation shall be included in the deliberation report. At the suggestion of the chairperson or if a member of the Examination Board or the ombudsperson so requests, a secret ballot shall be held.

Art.75. Deliberation Report

The deliberation report shall be drawn up and signed by the chairperson and secretary of the Examination Board. It contains the attendance list and mentions for each student the decision or determination as stipulated in *articles 73* and *74* and possibly the compliance with the procedural requirements of *articles 36* up to and including *41*. The report shall contain the examination marks or refer to the examination marks that are appended to the report or included in a secure electronic file. Where applicable, the deliberation report shall also contain the motivated decisions taken pursuant to *articles 64, 69, 71, 73, 74, 76, 77, 80* and *85*.

2.10 Retaking Examinations on Study Modules and the Deployment of Tolerances

Art.76. Retaking Examinations on Study Modules

§1. General Principle

Students may take examinations for the same study module or part of a study module twice and no more than twice per academic year, regardless of the contracts they may have entered into together or consecutively. An examination not (re)taken is considered a taken up examination opportunity. Due to a contract change, a student cannot acquire more examination opportunities. The ECTS sheet states if the student can only be examined once a year due to the nature of that component.

In exceptional cases, a student who is in the final phase of a study programme may be given permission to take a third examination opportunity by the director of the study field, without prejudice to *Article 2*.

§2. Retaking Examinations on Study Modules within the Academic Year

After the first examination opportunity, the student decides whether to take a second examination opportunity for the examinations for which he failed. In accordance with a procedure established by the university college, he must state which examinations he will retake in the second examination opportunity. The student cannot retake examinations for study modules for which he used tolerance.

A second examination opportunity does not necessarily take place under the same examination format. This is also stated in the ECTS sheet.

The mark on the first examination opportunity will be retained if it is higher than the result obtained by the student in the second examination opportunity.

§3. Transfer of Partial Results to Educational Activities

If a study module consists of several educational activities, which are evaluated separately, the examination result is automatically transferred to the subsequent examination period in the same or a subsequent academic year, insofar as the student has obtained at least 10 or a “passed” mark for that educational activity.

In case of a partial transfer, the originally obtained partial mark is set off against in a new final mark for the study module. The student only resumes the evaluation activity(-ies) for which no transfer of the result has taken place.

§4. Transfer of (Partial) Results within an Academic Year when there is No Second Examination Opportunity

If there is no second examination opportunity for (part of) a study module, the examination result of the first examination opportunity will be transferred to a next examination period.

Art.77. The Use of Tolerances

§1. General Principle

After the second or third examination period, a student can use tolerances for assessments of 8/20 or 9/20, on the condition that it concerns a tolerable study module. All other fail marks are non-tolerable. The “fail” assessment is also intolerable.

The programme guide states for which courses a fail mark is always intolerable.

The use of tolerances is only possible under the condition that these fail marks, expressed in credits, together amount to a maximum of 10% of the credits for the entire programme, after deduction of exemptions.

For the professional bachelor’s degree in nursing, the tolerance credit is 10% of the total number of credits of the degree programme, with the introduction of a maximum limit of 18 credits.

A student may only choose to use a tolerance on the condition that the student, within the study programme in the past academic year, achieved a study efficiency (acquired versus taken credits) of at least 50% up to and including the end of the academic year.

Students who have not yet obtained 60 credits in the degree programme, including exemptions, may retain examination results of tolerable fail marks for a maximum of 12 credits. Exceptionally, the director of the study field may deviate from this rule after advice from the study counselor or the course programme responsible.

Tolerance cannot be used for (parts of the) study modules for which fraud has been committed and sanctioned.

For certain types of training, the general director may, on the proposal of the PEC and after advice of the academic council, allow a deviation from these rules.

§2. Tolerances Set by the Student

Students who have not yet obtained the diploma can decide after the second and third examination period to use tolerances.

They can also make this decision after the first examination period, if their individual study programme does not contain courses from the second semester.

The student indicates in his tolerance file for which study modules he wishes to keep a tolerable fail mark and saves this choice definitively. He has 15 calendar days to do this, calculated from the day after the results have been published in his KULoket.

Tolerances that have been temporarily saved will be canceled after the expiry of the 15 calendar days.

If a student does not choose to use tolerances within the set term, it is assumed that he will resume the examinations for the study module.

The decision to keep a tolerable fail mark cannot be revoked.

Exceptionally, after a motivated request and permission from the chairman of the Examination Board, a student can retake a previously obtained tolerable fail mark that he had kept until then at the end of his study programme.

He must then re-register for the study module and take an examination on it, based on the subject matter of that academic year.

§3. Tolerances Used by the Examination Board

The Board of examiners will decide whether to apply tolerances regarding the student who can obtain the bachelor's degree if this means that the student can be declared successful in the study programme.

A student who does not agree with a decision of the Examination Board to use tolerances, must inform the chairman of the Examination Board of this within 24 hours after the results have been announced.

If the student makes use of this option, the general result for the pass/fail course and any degree of merit are provisionally canceled. The student resumes the study module.

2.11 Examination Fraud

Art.78. Definitions

Any behaviour of a student in the context of an examination that makes or attempts to make it wholly or partially impossible to form a correct opinion about the knowledge, insight and/or skills of himself or of other students, is considered examination fraud.

Plagiarism is a form of examination fraud that consists of any copying of the work, ideas, texts, structures, images, plans... in an identical way or in a slightly modified form and without adequate source reference.

Art.79. Procedures

Any staff member who detects or suspects examination fraud shall inform the chairman of the examination board as soon as possible of any form of examination fraud committed during an evaluation or examination that may influence of the examination board's final decision.

The select examination board or the examination board hears all those involved. The student can be assisted by a person of his choice and/or a counselor who cannot be a staff member or student of the university college and/or by the ombudsperson.

If necessary, the select examination board or the examination board will formulate a proposal for an examination disciplinary decision.

In the event of an infringement that may be regarded as plagiarism, the select examination board, possibly in consultation with the expert appointed within the university college, investigates whether plagiarism has been committed. It also investigates the seriousness of the violation and reports to the Examination Board.

Pending a decision by the Examination Board, the student may continue to complete the evaluation and examination series, including the examination in question, albeit, as far as the latter is concerned, after seizure the disputed documents and the copy that has already been made.

The select examination board or the examination board shall hear the student before every decision of the examination board about an examination fraud that has been committed.

Art.8o. Sanctions

On the basis of an examination fraud committed during an examination, the examination board may decide in its deliberations that the student:

- receives an adjusted mark on the examination or paper;
- receives a 0 on the examination or paper of the study module or part of it;
- does not receive a mark for all examinations in the examination period concerned;
- does not receive a mark for the examinations of the examination opportunity concerned;
- is rejected: the student can register again for examination in the first examination period of the following academic year at the earliest. The student who is rejected loses all examination marks obtained in the examination opportunity in question. This is only possible on the basis of a very serious irregularity. The Examination Board will decide on the seriousness of the irregularity.

In addition, the examination board of the study programme may require the student to take a different subject and/or supervisor for the final project or the bachelor's thesis.

The rule “retention of the highest grade” will no longer apply for all possible decisions.

In the event of plagiarism, the examination board may link the sanctions to compulsory participation in a self-study module or other forms of additional training with regard to plagiarism.

The seriousness of the offense and the penalty for plagiarism are assessed on the basis of the following elements:

1. the extent of the plagiarism;
2. the nature of the plagiarism: poor references, absence of references ...;
3. the student's experience, the degree to which the student should be aware of the seriousness of what he is doing, taking into account, among other things, the moment in the student's academic career;
4. the intention to commit fraud.

A student may lodge an appeal against decisions regarding examination fraud, as stipulated in *Section 3 General Regulations, Art.92. Internal appeal procedure.*

2.12 Announcement and Debriefing of the Examination Results

Art.81. Announcement of the Decisions of the Examination Board during the Course

The chairman of the examination board determines the time and the way in which the examination results for all study modules are communicated to the students via the study progress file. The notification shall refer to the appeal procedure.

The notification of the examination results via the study progress file is the only official announcement of the examination results. An appeal in accordance with *article 92* of these regulations can therefore only be lodged as of this this official publication.

Results that would be announced orally or by other means are therefore always provisional results.

During the examination period following the completion of a programme component, an examiner may give oral qualitative feedback to an individual student in order to maximize the study efficiency of subsequent study modules, without announcing the examination result obtained.

Students who are registered for a diploma contract or an examination contract with a view to obtaining a diploma or certificate are informed of an updated status of their individual overview report.

Students with a credit contract and an examination contract with a view to obtaining credit certificates will only receive a notification of the results of the course units for which they took examinations during the examination period in question and, if applicable, notification that they will be refused for a subsequent enrolment in one or more programme components.

Students are given the opportunity to take note of generalized examination results of the student group that is relevant to them, in order to situate their results on the study module for which they took examinations during the academic year in question.

On the diploma supplements, the examination marks are converted into the

following code characters:

- for those study modules for which the student obtained a credit certificate: the code C, supplemented with the examination mark or the letter P for non-numerical assessment;
- for the study modules for which the student obtained a result of less than 10 or failed: the code [T] tolerated.

Art.82. Debriefing of the Results and Right to Feedback

Students are given the opportunity for feedback during the first five calendar days following the day on which the results are announced. This feedback is organized in the form of an inspection of their written examination and/or an individual and/or collective debriefing of the examination. The arrangements for feedback and debriefing shall be announced to the students at least one week before the announcement of the results.

student may be accompanied by a person of their choice.

Students who wish to have a copy of an examination or deliberation report follow the procedure laid down in *Section 3 General Regulations, Art. 87. Open government*. Apart from this possibility, it is prohibited to make a reproduction/copy of the above-mentioned documents, by means of any device e.g. photo.

2.13 Dispute Settlement and Material Errors

Art.83. Conflicts before or during an Examination

Irregularities or conflicts between a student and an examiner that occur before or during the taking of an examination and that could jeopardize the correct progress of the evaluation, shall be communicated by one of the parties to the chairman of the examination board as soon as possible, possibly via the ombudsperson. The chairman mediates and takes, if necessary, after consultation with the select examination board, provisional measures to ensure the correct course of the examination. The examination board makes the final decision. In any case, the select examination board hears the examiner and the student. The student and the examiner may also be heard by the examination board themselves, at their request.

Art.84. Material Errors Identified for Deliberation

If a material mistake is identified before the deliberation, the examiner communicates the correct examination mark to the competent administrative service.

Art.85. Material Errors and/or Errors of Assessment Identified after Deliberation

If a material mistake and/or assessment errors are found after a deliberation, this is formally reported to the chairman of the examination board.

A mistake that does not affect the passing of a study module or the study programme, nor the degree of merit obtained, shall be rectified by the select examination board. If examination results have already been communicated to the student, the administrative service shall notify a corrected examination result to the student. The chairman and the secretary report on this at a subsequent meeting of the examination board.

If the error found does affect the student's ability to pass a study module or study programme, or the degree of distinction obtained, the chair shall convene the full examination board again as soon as possible. The established results may still be changed:

- a. to the disadvantage of the student within a period of 10 calendar days after the announcement of the results (only in the case of material errors);
- b. in favor of the student.

The new decision shall be communicated to the student in writing.

3 General Regulations

3.1 Rights and Obligations of the Student

Art.86. Equal Treatment

The students of the university college are entitled to equal treatment. Unequal treatment requires an objective basis and the difference in treatment must be proportionate to a legitimate aim.

The university college takes general measures to guarantee equal opportunities and to guarantee access to the university college in a material and immaterial sense for students with a disability or chronic illness and for recognized groups within the diversity policy.

Reasonable adjustments regarding educational or examination facilities can be requested according to the procedure that can be consulted at www.vives.be/facilities.

Art.87. Open Government

In accordance with the provisions of the Participation Decree and at their request, the students' representatives are given access to the reports of the policy bodies.

In implementation of *Articles 78 and 79* of the Structure Decree, the public nature of the administration with regard to each individual student is specified as follows.

- Every student may inspect the documents that formed the basis of decisions taken with regard to him, without being entitled the right to inspect data relating to other students. Until one month after the start of the next academic year at the latest, he may submit a request to this effect to the director of the study field to whom his study programme belongs. Such access shall be granted within a reasonable period of time. Copies of documents will only be granted with the unrecognizability of data that do not relate to the student. The university college will charge a reasonable fee per page copied. *Article 82* of the examination regulations stipulates the right of inspection with regard to examinations and deliberation reports.
- In accordance with the legislation on the protection of personal data, every student can request once a year access to and, if necessary, correction of the personal data that the university college electronically stores about him. Exercise of this right is requested from the director of the study field.

Art.88. Specific Rights and Obligations

§1. In particular, students are also entitled to:

- a. support from the student facilities of the university college:
see <http://www.vives.be/stuvo>
 - access to general study support services;
 - access to selective social services such as student grants from the social services, student housing, medical and psychotherapeutic centre, etc. according to the criteria determined by the services;
- b. use of the library according to the library regulations: see www.vives.be/student/library ;
- c. use of the computer infrastructure in accordance with the specific regulations;
- d. educational support via TOLEDO: see www.vives.be/student/toledo .

Students with an examination contract cannot claim these possibilities. The university college only commits itself to taking the examinations.

Students are obliged to use the immovable and movable property of the university college ‘with due diligence’ and to behave in accordance with the regulations applicable within the university college.

§2. The official communication between VIVES and the students takes place via the VIVES student email address. Registered students must regularly read their e-mails to that e-mail address and cannot invoke failure to read them in order to avoid obligations/changes.

§3. Students are expected to consult the notices on TOLEDO on a regular basis.

§4. Students are not entitled to make audio or video recordings of the educational activities, unless a specific agreement has been made about this with the lecturer of the course. The recording material can only be used for didactic purposes for the student himself or the student group of the current academic year. Commercial use is excluded, as is the recording of examinations for any purpose whatsoever. The recording material is not published on publicly accessible websites. The distribution of the recording material is subject to official privacy legislation. A student who uses the material without taking these agreements into account is subject to the sanctions of the disciplinary regulations.

§5. The students cannot object to the recording of educational activities that the teacher uses for simultaneous broadcasting and/or placement on learning platforms. They can ask not to be portrayed personally.

§6. Under no circumstances are students allowed to multiply and distribute learning materials, course texts, exercises, slides... that were made available to them by VIVES against payment or free of charge as part of their training, so that they can benefit commercially from them or third parties.

Nor are students allowed to reproduce and use examination material that was made available to them by VIVES against payment or free of charge as part of their training for other than their own personal use.

A student who does not comply with these rules will be subject to sanctions as stipulated in the disciplinary regulations. In addition, the student also exposes himself to prosecution for violations of copyright law. Students have the right to take digital notes with a mobile digital device (laptop, tablet, smartphone) unless a well-founded objection is formulated by the lecturer of the course. The digital notes can only be used for didactic purposes for the student himself or the student group of the current academic year. Commercial use is excluded. A student who uses the material without taking these agreements into account, is subject to the sanctions of the disciplinary regulations.

§7. Persons who fraudulently forge VIVES documents will be prosecuted. Moreover, when it concerns students of VIVES, the disciplinary regulations will be applied.

Art.89. Protection of Personal Data

Once a year, each student can request access to and, if necessary, correction of the personal data that VIVES keeps about him electronically.

By registering, the student give their consent to VIVES:

- a. to have documents submitted by him checked for authenticity and veracity with the issuing authorities;
- b. to confirm the authenticity of documents supposedly issued to them by VIVES when requested by third parties.

The personal data of the students is collected and used for the internal student administration. In addition, the personal data and photos of the students can be used for their own publications such as vademecum, photo book and the like.

Photographs of students taken during activities within the university college or in function of the university college can be used for internal and external publications, such as school magazines, publicity, promotional material, website, press releases, etc.

VIVES also reserves the right to use the personal data and photographs of students, as indicated above, after the students have left the university college.

Art.90. Retention period of documents

Documents, other than examination copies, that relate to decisions with regard to a student are kept for at least three years after the student was last registered at the institution for the study programme or study module concerned.

3.2 Legal Protection and Handling of Complaints

Art.91. The Ombuds Function

The director of the study field appoints a member of the teaching staff or another staff member with relevant experience in educational matters as ombudsperson. Throughout the academic year, students can turn to this counselor with regard to aspects of educational provision that, due to their personal nature, cannot be adequately dealt with by other authorities. The ombudsperson mediates between the students involved, the teachers and the policy authorities.

During the examination periods, an ombudsperson acts as a confidential advisor between the examiner and the student. The ombuds regulations describe the assignment, the appointment and the authority of the ombudsperson.

Art.92. Internal Appeal Procedure

Internal appeal is possible against:

- a. refusal to derogate from a study progress measure;
- b. decisions on the granting and scope of a certificate of competence;
- c. denial of the right to continue taking a study module;
- d. a decision regarding the granting and scope of an exemption;
- e. an examination decision: every decision of an examination board that involves an examination is considered an examination decision in which:
 - an assessment for an individual study module is definitively established;
 - a dispute is settled;
 - the overall result and whether or not a degree of distinction is awarded for an entire programme, is decided upon;
- f. the refusal of education or examination facilities for a student with a specific status.

§1. Students who feel that a decision taken violates their rights, may lodge an internal appeal with the internal appeals committee.

§2. Students must initiate the internal appeal procedure within a period of seven calendar days starting from the date of the decision

- in the case of an examination decision: the day after publication;
- in the case of another study progress decision: the day after the notification of the decision to the student.

§3. The student sends his appeal by e-mail to interneberoepscommissie@vives.be.

In the subject line, the student notes “internal appeal procedure programme X”. In the e-mail itself, he provides his personal data (name, address, telephone number), his study programme and (if relevant) any specialization and the training phase he is in. The student provides a clear, substantiated description of his objection: the study module, the name of the lecturer(s) involved, facts, ...

The internal appeals committee consists of at least two members of the VIVES council. The composition of the committee takes account of the fact that there can be no conflict of interest in the assessment.

The appeal body hears the student at his request and asks for information from all parties involved and in any case the lecturer of the study module concerned, if applicable. The internal appeal procedure leads to:

- a. the motivated rejection of the appeal on the grounds of inadmissibility or unfoundedness;
- b. a substantiated confirmation of the original decision;
- c. a reasoned revision of the original decision;
- d. return to the examination board: when the appeals board destroys a study progress decision, it can impose on the body that made the decision, to make a new decision that must take into account the condition set by the appeals board.

This decision will be notified to the student by e-mail (the same address with which the student lodged his objection) within 20 calendar days, starting on the day after the one on which the internal appeal was lodged.

In exceptional cases, the internal appeals board may inform the student in a substantiated manner within the period available to it, that it will rule at a later date. In that case, the term for external appeal only starts on the day after the date on which the internal appeals board informed the student of its decision.

Once this internal appeal option has been exhausted, the student may lodge a further appeal with the Council for Disputes regarding study progress decisions, in accordance with the provisions of the Decree of 19 March 2004 regarding the legal status of the student.

3.3 Code of Conduct with Regard to the Language Regime

The language of instruction is Dutch.

However, another language can be used for:

- a. study modules that have a foreign language as their subject and that are taught in that language;
- b. study modules taught by guest lecturers who speak a foreign languages;
- c. study modules taught in other languages that, with the consent of the university college, are taken at another institution of higher education.

The university college may also decide that, to a limited extent, a language other than Dutch will be used for study modules, if the added value for the students and the functionality for the study programme is apparent from the explicitly justified decision to this effect and on the condition that the lecturer appointed for this purpose has an adequate command of the other language.

The use of a language other than Dutch is limited to 18.33% of the size of the study programme, excluding points a and c.

Students have the right to take examinations in Dutch for a study module in which a language other than Dutch was used, with the exception of the study modules referred to in points a and c.

Contrary to the above, the university college determines the language of instruction for the bachelor after bachelor courses.

3.4 Code of Conduct Regarding the Wearing of Religious Symbols

VIVES respects the wearing of religious symbols in the university college. Only when there are decisive arguments, VIVES will look for possible alternative solutions together with the student or staff member. Decisive arguments can relate to recognizability, competencies (employees) and learning results to be achieved (students), safety, hygiene and an impediment to carrying out VIVES' core activities.

For activities outside the university college, the rules apply as prescribed by the external body (company, organization, internship...) and staff and students are expected to comply with the policy of the external body. VIVES is committed to finding partners who share the same vision around the wearing of religious symbols.

3.5 Disciplinary Regulations

The disciplinary regulations have several objectives:

- to provide an instrument that provides clarity and guarantees in the maintenance of order and discipline, in the functioning of the educational system;
- to provide the same information to all those concerned;
- to guard against arbitrary sanctions and to provide for redress ...

The present text is the result of discussions with all parties involved and can be framed in the perspective of constructive cooperation between the various sections of the university college.

Art.93. Description – Scope of Application

Students are expected to be guided in their behavior and attitude within the university college context by respect for the human person and not to perform any actions that are incompatible with the mission of the college.

Examples of unacceptable behavior include disturbance of public order, sexual harassment, aggressive behavior, racist statements, drug dealing, theft, bullying, cyberbullying, stalking ... Regarding legal and illegal substances, the note 'Resources policy for students' memorandum of the POS policy group applies VIVES as a guide.

Students who do not comply with this can be sanctioned according to the provisions of the disciplinary regulations.

Facts from private life that do not affect their functioning as students or the functioning of the university college may not give rise to a disciplinary measure.

Any damage to buildings, furniture or equipment, whether deliberately or through gross negligence, may be the subject of disciplinary proceedings, possibly prosecution. Each student can be held jointly and severally responsible, not only for the damage caused by his act, but also for that caused by his negligence or carelessness.

Art.94. Enforcement of Discipline

The following are responsible for enforcing the discipline at the university college: the university college board and the general director, the directors of the study fields, the staff of the college, as well as the disciplinary board established by *Article 5*.

Art.95. Disruptive Behaviour in Educational Activities

In the event of disruptive and/or undisciplined behaviour during or as a result of educational and/or study activities within or outside the university college, the supervising staff member may instruct the students to leave the activity. The aim is to discuss or resolve the problems with those involved.

Art.96. Sanctions

The sanctions can be:

1. oral and / or written reprimand, admonition or blame;
2. denial of the right to follow one or more educational activities for a maximum of one week;
3. denial of the right to follow one or more educational activities for a longer period than one week;
4. temporary expulsion from all educational activities;
5. definitive exclusion.

The sanctions should be in proportion to the nature and seriousness of the offence.

Apart from the verbal admonition or reprimand, all other sanctions are communicated in writing and with reasons, with signature for acknowledgment.

The sanctions are pronounced by the director of the study field or his delegated authorized representative. Only after this notification does the sanction take effect.

The written notification will state the possibility of appeal.

Art.97. Disciplinary Board

A disciplinary board is established for each field of study consisting of:

- the director of the study field or his representative;
- two members of the teaching staff, both sitting on the PEC and designated by their division;
- a representative of the students residing in the POC and designated by its division;
- the president of the student council or his replacement.

As a party concerned, one cannot sit on the disciplinary board.

The director of the study field or his representative holds the chairmanship.

Art.98. Defense

No sanction can be pronounced without the student concerned having been heard and/or having been given the opportunity to defend himself before the body that issues the sanction. He may be assisted by a person of his choice.

4 Definitions

1. **Academic Year:** a period of one year that starts no earlier than September 1st and no later than October 1st, and ends on the day before the start of the following academic year. This period shall be divided into two semesters;
2. **Admission Agreement:** the agreement between the university college and the student in which the rights and obligations of both parties are laid down. The agreement is concluded by enrolling the student in one of the following types: diploma contract, credit contract or examination contract. The Education and Examination Regulations of the university college form an integral part of the admission agreement;
3. **Admissions Committee:** a central committee established for the purpose of
 - a. evaluating whether a student who does not have a diploma of secondary education can still be admitted to a bachelor's programme;
 - or
 - b. evaluating whether a student who does not have a secondary education diploma can still be admitted to taking study modules;
4. **Alternative Programme:** programme in distance learning courses, evening courses, bridging courses;
5. **Assessment Error:** We speak of an assessment error if there are elements that have affected the validity of the assessment, such as, for example, asking questions that were not part of the subject matter, not respecting the predefined assessment criteria...;
6. **Bachelor's Thesis:** thesis that completes a bachelor's programme;
7. **Certificate of Competence:** the proof that a student, on the basis of previous experience or a previously attended study programme in which no evaluation took place, has acquired the competences appropriate to the level of bachelor's degree in higher professional education or academic education, or the master's level, or a well-defined study programme, study module or cluster of study modules. This proof is issued by a validating body and consists of a paper document or a registration in a database;
8. **Competence:** integrated knowledge, skills and attitudes that enable a person to deliver effective, high-quality performance aimed at a particular function/role;
9. **Continuing Education:** educational programmes of usually limited scope for specialization or updating of scientific knowledge or for broadening or deepening competences;

10. **Contract Type:** choice that a student makes to go through the training offer via a diploma contract, a credit contract or an examination contract with a view to obtaining a diploma or a credit;
11. **Credit:** an international unit accepted within the Flemish Community that corresponds to a minimum of 25 and a maximum of 30 hours of prescribed educational, learning and examination activities and which expresses the study load of each study programme or course unit.
 - a. Only whole credits are awarded;
 - b. taken credits are the credits for which one registers, including those for which one obtains an exemption;
 - c. actually taken credits are the credits for which one registers and still has to take an actual examination ;
 - d. acquired credits are the credits for which a credit certificate has been obtained;
12. **Credit Certificate:** the recognition of the fact that a student at VIVES or another institution of higher education has acquired the competences related to a study module on the basis of an examination. This recognition is recorded in a paper document or a registration in a database. The credits earned, associated with the course concerned, are shown as “credits”;
13. **Credit Contract:** an entry contract concluded between the university college and the student enrolling with the purpose of obtaining a credit certificate for one or more study modules;
14. **Degree of Merit:** special mention given at the end of an academic year and of a bachelor’s degree;
15. **Deliberation:** the meeting of an examination board that records the results of the examinations for the study modules, that determines whether the student has passed the whole of a study programme and determines the final result.
 - a. A deliberation can also be held on an ad hoc basis if disputes arise with regard to an examination result;
16. **Deviating Pass Criteria:** this modality is used in exceptional cases to assess an evaluation activity. Deviating success criteria may be applied in specific cases where a mere weighted average of the various assessment components is not sufficient to assess the learning outcomes sufficiently. Where appropriate, these criteria are presented in the PEC and the approach is clearly set out in the ECTS sheet. Deviating success criteria are only applied within one TA and are not allowed across different educational activities (because there the calculation is done automatically by means of a weighting based on credits);

17. **Diploma:** the document that is issued at the end of a bachelor's programme to a student who has passed the entire programme and in which the most important identification data of the student and the programme are included;
18. **Diploma Contract:** an entry contract concluded between the university college and the student enrolling with the purpose of obtaining a diploma or certificate of a study programme;
19. **Diploma Supplement:** the document drawn up in accordance with European standards, in which the special characteristics of the study programme and the study results not mentioned in the diploma are stated. This document contains, in particular, the credit certificates for the successful student;
20. **EVA Evaluation Activity:** evaluation of an teaching activity TA;
21. **EVC Evaluation Component:** refers to the form of evaluation used for the assessment of part of an educational activity or a study module. An assessment can, for example, consist of an assignment and a written examination or of two separate assignments;
22. **Examination:** an assessment situation in which it is ascertained whether the student has acquired partial competences associated with a study module on the basis of his studies. An examination can take place at a certain moment in time, but can also take the form of a series of activities spread over time, such as during an internship or forms of permanent evaluation;
23. **Examination Contract:** an entry contract concluded between the university college and the student who registers to take an examination with a view to obtaining
 - a. a diploma or certificate of programme or
 - b. a credit certificate for one or more study modules;
24. **Examination Opportunity:** a student is entitled to two examination opportunities in the academic year for each study module for which he is registered.
 - a. If the nature of the study module doesn't allow for two examinations, the right referred to in the first paragraph cannot be exercised during the same academic year. In that case, the student must re-enroll for the relevant course unit in a subsequent academic year;
25. **Examination Period:** a period specifically reserved for the organization of examinations;

26. **Exemption:** the removal of the obligation to take an examination for a study module or part thereof, on the basis of a credit certificate, another study certificate or a certificate of competence. For this study module or part of it, no examination mark shall be taken into account when judging the success of the study module, nor for awarding a degree of merit, except in the circumstances as stipulated in Exemptions, transfer of examination marks and credit certificates.
27. **Generation Student:** a student who enrolls for the first time in a given academic year with a diploma contract for a professional or academic bachelor's degree in Flemish higher education. The status of generation student applies for that entire academic year;
28. **Identical Study Modules:** it is possible that within the university college two or more study modules are considered identical, eg.
 - a. The content, teacher, campus are identical, but the semester differs;
 - b. The content (and sometimes also the teacher) are identical, but the campus differs;
 - c. The content is not identical, but the learning outcomes are the same. At this group also includes language equivalents of programme;
 - d. a study module changes in number of credits, but remains identical in content (more or less) after a programme change. Such courses often have the same name, but another ECTS code. In the ISP (individual study programme) or the examination processing, they are treated as identical study modules;
29. **Individual Overview Report:** the electronic document that provides an overview of the state of affairs with regard to the study progress of the individual student at any time during the study;
30. **Individual Year Programme:** the whole of study modules that an individual student takes in one academic year, including the study modules for which he/she subsequently requests an exemption;
31. **ISP: Individual Study Programme,** the sum of the annual programmes that an individual student takes with a view to obtaining a diploma or certificate or with a view to obtaining one or more credit certificates;
32. **IST Individualized Study Track:** a programme that deviates from a model track and that may be granted to a student upon substantiated request;
33. **Learning Account:** credit granted by the Flemish Community to a student, expressed in credits, to complete one or more studies or study modules;
34. **Model Track:** a track that consists of a programme drawn up for a study

- programme, in which it is clarified how a student can obtain the diploma associated with the programme within a set duration. The model tracks divided into a number of programme stages, the size of which is expressed in credits. A model route is structured as full-time or as “differently classified”. A study programme can offer several model tracks. A model track also includes every variant for which a student does not need to apply for permission as long as he follows the rules described in the Education and Examination Regulations. A full-time programme consists of an annual programme of at least 54 credits per academic year, including exemptions and credit certificates already obtained, and a maximum of 66 credits;
35. **PAC: a “previously acquired competence”**, being the whole of knowledge, insight, skills and attitudes, acquired by means of learning processes, that have not been confirmed with a study certificate;
 36. **PAQ: a “previously acquired qualification”**, being any national or foreign study certificate indicating that a formal learning pathway, whether or not within regular education, has been successfully completed, with the exception of credit certificates obtained within a study programme of the university college for which the qualification is invoked;
 37. **PEC: Permanent Education Committee**, the committee set up with a view to developing and monitoring one or more study programmes;
 38. **Postgraduate Study Programme**: continuing education course offering a consistent set of at least 20 credits;
 39. **Programme Director**: the chair of a permanent education committee;
 40. **Programme Guide**: a description of the most important elements of the study modules of a study programme (the ECTS - European Credit Transfer System - fiche: competences, objectives, learning line and teaching methods, study and processing time, evaluation modalities and study materials). Furthermore, the programme guide contains the specific programme information in which the necessary additions to the Education and Examination Regulations of university college are formulated;
 41. **Programme Phase**: coherent part of a study programme, with a view to structuring the study track and monitoring study progress;
 42. **Sequentiality**: the order in which one may enroll for study modules in function of simultaneously following, having followed c.q. having succeeded one or more other study modules.
Three possible forms of succession are distinguished:
 - a. strict sequentiality: The student must have obtained the credit

- certificate or at least a tolerable fail mark in a previous semester in order to be allowed to take a subsequent study module;
- b. flexible sequentiality: The student must take the study module now or have taken it before, without necessarily having obtained the credit certificate;
 - c. designated or recommended sequentiality: the student is advised to maintain a certain sequence in the composition of his programme, without this being mandatory;
43. **Specialization:** a differentiation in a study programme that differs by at least 30 credits from another differentiation in the study programme;
 44. **Starter:** a student is considered a starter if he is enrolled with a diploma contract or a diploma examination contract and he has not yet obtained 60 credits in the relevant study programme (credits, exemptions and applied tolerances combined);
 45. **Study Certificate:** diploma or certificate that indicates that a student has obtained certain competences via a study module for which an examination has been taken;
 46. **Study Efficiency:** the ratio between the number of successful credits and the number of credits actually taken in an academic year, expressed as a percentage;
 47. **Study Load:** the number of credits allocated to a study programme, a study module or a part of a study module;
 48. **Study Module:** a delineated whole of educational, learning and examination activities aimed at the acquisition of well-defined competences in terms of knowledge, insight, skills and attitudes. A study module consists of at least three whole credits and leads to one separate assessment mark;
 49. **Study Module Lecturer:** the staff member who has been officially appointed by the university college as the commission holder for a study module;
 50. **Study Programme or programme:** the structuring unit of the educational offer of the university college. Upon successful completion, it is awarded a diploma or certificate;
 51. **Study Programme:** the entirety of study modules that an individual student takes with a view to obtaining a diploma or certificate or with a view to obtaining one or more credit certificates;
 52. **Study Time:** the total time investment that may be expected of a student with regard to an separate study module or with regard to a study programme as a whole. The calculation is made on the basis of the so-

called 'standard student'. The standard student is the student who has exactly the prior knowledge, talent, motivation and study behavior of the target group on which a study programme is focused.

- a. The study time consists of two components. The first component is the number of hours of attendance that is in principle expected from each student, the so-called 'contact hours' and the number of evaluation hours. The second component is the 'processing time'. This is the time that a standard student has to invest in the preparation of a lecture or practical course, the execution of assignments, the possible internship, the preparation for the examinations, and so on.
 - b. This expected or estimated study time is only an indication of the actual study time spent, which after all depends on the characteristics of the individual student;
53. **Study Track:** for a diploma contract or an examination contract with a view to obtaining a diploma or certificate, a study track determines the essential elements for following a study programme, which in any case includes the study modules, the study load, the examination and deliberation rules and the study progress monitoring. A study track takes the form of a model track or an individualized track;
54. **TA Teaching Activity:** further subdivision of a programme component in terms of a specific coherent set of teaching and learning activities, and with a number of credits attached;
55. **Tuition Fee:** the amount the student has to pay for participating in educational activities and/or examinations;
56. **Validation Body:** synonym for an association with a view to issuing a certificate of competence;
57. **Written Notification:** unambiguous communication of a petition, intention or decision in a way other than verbal, by letter, e-mail, fax...;

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