

EDUCATION AND EXAMINATION REGULATIONS

ACADEMIC YEAR 2023-2024





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In advance

The Education and Examination Regulations apply to students and programmes in the graduate and undergraduate programmes.

These regulations also apply to all students participating in a mobility option (incoming or outgoing, including those 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 related to higher education and their implementing regulations. The texts can be found at www.ond.vlaanderen.be.

The VIVES programme guide, which is published on the VIVES website, includes a complete overview of the programmes on offer and all ECTS sheets. The contents of the programme guide and the training 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 granted by the Governing Body after advice from the Academic Council.

Force majeure, ensuring safety and health of students and staff

In case the university college is faced with situations of general force majeure or situations where the health and safety of students and staff of VIVES may be compromised, the management council may amend parts of the OER and/or ECTS sheets to the extent necessary to organise the teaching and evaluation activities or to avoid unnecessary extension of study time for students, after consulting the student representatives of the Governing Body and academic council and the group directors.

Other regulations

For postgraduate programmes and other continuing education programmes as well as for HBO5 nursing programmes, these regulations do not apply and VIVES will draw up specific regulations regarding admission requirements, educational activities and services, the method and moments of evaluation, who can evaluate, the calculation of results and the way of communicating and discussing results. These regulations will be clearly communicated to the students or course participants who register for the training programme or programme.

The cross-institutional regulations on starting tests are available on the Flemish Colleges Council website <https://www.vlaamsehogescholenraad.be/nl/starttoets>.

1. EDUCATION REGULATIONS

1.1. ADMISSION REQUIREMENTS

Art.1. – General admission requirements

For admission to a programme of study or course units at the university college, the student must in any case meet the decree conditions with the additions specified below (see vives.be/en/admissionconditions). These conditions must be met upon final enrolment.

Students wishing to enrol in an undergraduate programme must also meet the following conditions:

- he must have a learning credit higher than zero for enrolment under any contract type;
- he must not have an active refusal to enrol for the programme concerned due to failure to meet the decree threshold, as stipulated in Art. 38. Refusal of further enrolment based on binding conditions.

The specific degree requirements for each individual programme and the course units included therein are listed in the programme guide.

These conditions and deadlines apply to all types of contracts, except for a credit contract or an examination contract for the purpose of obtaining a credit certificate for which the admission committee grants permission to enrol without fulfilling the admission conditions applicable to the programme of study to which the course unit belongs.

The agreement may be terminated if it is found that the student does not meet the necessary conditions.

In case of admission document fraud, any credit certificates and diplomas obtained will be annulled, regardless of when the fraud is detected.



Art.2. — General diploma conditions

§1 — For bachelor's degree programmes

Persons who have:

- a. a Belgian secondary school diploma;
- b. a Belgian diploma of higher education of the short type with full curriculum;
- c. a Belgian diploma of higher education for social promotion except the certificate of pedagogical competence;
- d. a diploma or certificate awarded as part of higher vocational 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 programme if the diploma obtained in that country also grants access to higher education;
- g. students with a diploma obtained in a country that did not ratify the Lisbon Recognition Convention may be admitted if the diploma obtained in that country gives access to similar higher education and if the students meet an additional test of competence, if necessary for the programme.

§2 — For graduate programmes

Admitted to a graduate course are those who turn at least 18 in the year of enrolment and who have:

- a. a Belgian study certificate from the second year of the third stage of secondary education, obtained for at least 3 years;
- b. a Belgian secondary school diploma;
- c. a Belgian certificate of secondary adult education of at least 900 teaching hours;
- d. a Belgian certificate from a secondary education course for social promotion of at least 900 teaching hours;
- e. a diploma from the Flemish higher vocational education system;
- f. a certificate from the Flemish higher vocational education system;
- g. a Belgian diploma of higher education of the short type with full curriculum;
- h. a Belgian diploma of higher education for social promotion;
- i. a Belgian bachelor's or master's degree;
- j. a study certificate recognised under a legal standard, a European directive or an international agreement as equivalent to 1 of the diplomas/certificates/diplomas mentioned in points a to i. In the absence of such recognition, the Institution Board may admit persons who have obtained a diploma or a certificate in a country outside the European Union that gives admission to higher education in that country to enrol in a higher vocational education programme.

§3 — Bachelor-after-bachelor programmes

The general admission requirement for an undergraduate programme is a bachelor's degree or its equivalent from a university of applied sciences.

In addition, an aptitude test can be passed if the prospective student holds a diploma from an undergraduate programme other than those granting direct access to the bachelor-after-bachelor programme. The programme guide will state which specific diplomas give direct access to an advanced bachelor's programme.

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

For the advanced bachelor's programme in special education and the advanced bachelor's programme in care education and remedial learning, candidate students who do not hold a bachelor's degree, but who work in education, may exceptionally also apply. In this case, however, the candidate student must also hold a secondary school diploma.

§4 — Differing diploma conditions

§4.1 — Admission procedure to a bachelor's programme

Prospective students who do not hold the above-mentioned diplomas or certificates and wish to embark on a professional bachelor's programme may take part in the different admission procedure if they have reached the age of 21 on 31 December of the academic year when registering for the admission test. In addition, these candidates must also meet the language and nationality requirements (vives.be/nl/studeren/toelatingsproof).

The prospective student addresses an enquiry to toelating@vives.be requesting admission to the college. The college then investigates through the admission committee whether the candidate has the average aptitude level of entering students into a bachelor's programme.

The admission committee's decision applies to admission to similar courses within the institutions of all associations in Flanders.

In principle, the result of the admission procedure is valid indefinitely. After five years, the possibility of requiring an update is provided. Candidates are given an admission certificate. If a candidate fails the admission test – even at an institution of another association – he can retake only after one year. In that case, it is up to the candidate to prove that there are serious new reasons to accept the new application.

§4.2 — Admission procedure for graduate programmes

Prospective students who do not hold the diplomas or certificates mentioned above and wish to enter a graduate course may take part in the admission test for graduate courses provided they have reached the age of 18 on 31 December of the academic year when registering for the admission test. In addition, these candidates must also meet the language requirements.



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

The university college, through the admissions committee, examines whether or not the candidate meets the language and degree requirements. If the student meets the language requirements but not the degree requirements, he or she can register for the admission test for the graduate programmes via the website [vives.be/en/studying/admission test](https://vives.be/en/studying/admission-test). The purpose of the admission test is to verify whether there are sufficient basic knowledge and skills to start a graduate programme.

A prospective student can only take part in an entrance examination for graduate programmes once, with a view to enrolment in a specific academic year. If the candidate student does not pass the entrance examination with a view to a specific academic year, a second attempt is only possible in an entrance examination with a view to the following academic year. If it is established that the candidate student participated twice in an entrance examination for the same academic year, the second result shall be considered invalid.

The certificate of admission to the graduate programme is valid at all higher education institutions in Flanders and is in principle valid indefinitely. After five years, it is possible to demand an update. However, this admission is not equivalent to the certificate of secondary education.

Art.3. — Language conditions

§1 — Language requirements for Dutch-language courses

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

Prospective students with a degree from outside the Flemish community are admitted to a Dutch-language programme if they meet at least one of the following conditions (see language conditions for Dutch-language programmes):

- they prove that they have successfully completed the examinations of at least one year of secondary or higher education or a whole of at least 54 credits of higher education in Dutch;
- they pass a Dutch language examination which, according to the Dutch Language Union, provides a sufficient level for admission to higher education or a higher level determined in advance by the institution for a particular course;
- they present a certificate from a Dutch language course showing that the prospective student has at least the level:
 - *for a graduate course except the Educational Graduate Course: B1+ of the European Framework of Reference for Languages;*
 - *for an undergraduate course as well as the Educational Graduate Course: B2 of the European Framework of Reference for Languages.*

Students may be exempted from this if they are enrolled in the context of a trajectory of joint or bidiplomation.

§2 — Language requirements for English-language courses

A prospective student is admitted to an undergraduate programme organised in English if he can present a certificate showing that he has at least level B2 of the European Framework of Reference for Languages. A list of accepted language certificates can be found on [this webpage](#).

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

Students who obtained an English-language secondary or higher education diploma in a country belonging to the 'Inner Circle' are also exempted from the language test.

If there is a cooperation agreement, where the language requirements have been checked with the partner institution, the prospective student does not need to submit an additional language certificate.

Art.4. — Learning credit

For admission to an undergraduate programme, students must have sufficient learning credits. According to the provisions in chapter 1.8 Measures of study progress for bachelor's students already enrolled in 2022-2023 or earlier and chapter 1.9 Measures of study progress for bachelor's students enrolled from academic year 2023-2024 of these regulations, deviations from the provisions related to the learning credit may be granted.

A student who, because of material errors or inaccuracies, does not have sufficient learning credit and is denied admission to enrolment may lodge an appeal as provided in Section 3 General Regulations, Art.110. Internal appeal procedure.

The learning credit does not apply to a student enrolling in a graduate programme or a specific teacher training programme, nor does it apply to a student enrolling in a Bachelor of Education programme when they have already obtained a bachelor's degree.

Art.5. — Enrolled students who do not meet the admission requirements

VIVES University college for applies sciences carries out its own admission examination, for which the prospective student can register before enrolment. Before registering, it is the prospective student's responsibility to check whether he or she meets the admission requirements. In case of doubt, the prospective student(s) may direct their queries to the admission department of the college. For this purpose, the prospective student(s) may contact toelating@vives.be.



The prospective student(s) should be clearly and correctly informed of the admission requirements when registering. If it appears that the prospective student does not meet the admission requirements, he or she is referred to the admissions department for further follow-up.

If it appears during the academic year that a student does not meet the admission requirements but has nevertheless enrolled, the enrolment will be cancelled. In that case, the student will be deemed never to have enrolled and will consequently lose the credits already obtained. The full tuition fee shall be refunded, however, other costs incurred in the context of the programme shall remain the responsibility of the student whose enrolment was cancelled.

Students who are already enrolled and who are subsequently detected that only one module or level of the NT2 programme is missing to submit the necessary language certificate, should submit a certificate of enrolment from a recognised language centre or CVO for that missing module or language certificate as soon as possible.

The student(s) must demonstrate completion of the module by May 31st of the academic year at the latest. If this is not met, the enrolment will still be cancelled and the above mentioned will apply.

1.2. REGISTRATION RULES

Art.6. — General

Enrolment at VIVES establishes a contract with rights and obligations for both parties. The students may – subject to the special provisions for the examination contract – make use of the services offered by VIVES, both for the studies themselves and for the framework conditions. The rights and obligations are further described in Section 3 General regulations, Rights and obligations of the student.

Subject to specific provisions to the contrary for a particular programme or contract, a student's enrolment is valid for one academic year.

The student undertakes to immediately report any change in his address to VIVES. If the student fails to do so, this cannot be interpreted to the detriment of VIVES.

Art.7. — Registration

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

- passes by the student administration to complete his enrolment;

OR

- in the online registration application, click on the button 'I wish to register online definitively (binding)'.

For a student who re-enrols, enrolment is final once he has finalised the re-enrolment web application.

Art.8. — Enrolment for Educational Bachelor's and Educational Graduate programmes

Students enrolling in the **Educational Bachelor's programmes** for the first time with a diploma contract or diploma examination contract must submit valid proof of participation in the government-mandated non-binding initial test for the teacher training programme.

The starter test is imposed by the Flemish Government and organised by the Flemish Council of Universities of Applied Sciences. The student takes the subject Dutch at a location in a university college. The starter test is offered on the start test platform starttoets.vlaanderen.be/teachertraining. For educational bachelor primary education students, the starter test also includes the French and mathematics sections. These two components are organised independently of time and place on the starter test platform.

The student can take the starter test only once. After taking the starter test, the student will receive a certificate of participation. The certificate of participation is valid for one academic year. The student therefore produces the version corresponding to the academic year for which he/she wishes to enrol. The student delivers this certificate to the VIVES student administration. If the student cannot submit the proof of participation, the university college will dissolve his/her registration.

VIVES University of Applied Sciences grants the following exemptions as standard:

- A student does not have to take a new starter test to obtain a valid certificate of attendance if he or she has already taken a starter test in the past and enrolls in an educational bachelor's programme in nursery education or secondary education at VIVES University College after having been enrolled in an educational bachelor's programme in secondary education, nursery education or primary education.

OR

- A student will be exempted from participation in the Dutch test part of the entrance examination if he has obtained a Dutch-language Bachelor's degree in the past or a Dutch-language diploma equivalent to a Master's degree. Students wishing to enrol in an educational Bachelor's programme in primary education are not exempted from the French and mathematics test items.

Students who wish to enrol in an educational bachelor's programme but did not achieve the cut-off mark (10/20) for the Dutch language component follow a compulsory remedial course. The compulsory remedial course consists of an online asynchronous course. VIVES University College may impose binding conditions on students who did not complete the compulsory remedial course within the prescribed time limit.

Students are exempted from remediation by default if:

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- they acquire a standard exemption from participating in the entry-level test;
- they already took the compulsory remediation for a particular programme in a college of higher education and then wish to enrol in the same programme in VIVES college of higher education on condition that the student provides proof of this.

The following candidates will be admitted to the educational **graduate programme**:

- a candidate with five years of professional experience in the relevant teaching profession of the educational graduate programme;
- a candidate with three years of professional experience in the relevant teaching profession of the educational graduate course and a study certificate as mentioned in Article II.176 of the Codex Higher Education of 11 October 2013, or a professional certificate from VDAB in the field of the teaching profession.

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

The education study field of the university college assesses whether the above conditions of useful professional experience are met. Decisions regarding recognition of useful professional experience may be appealed by a student as stipulated in Section 3 General regulations, Art.III Internal appeal procedure.

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Art.9. — Work students and work routes

Work-study students enrolling in a government-recognised work track must complete and sign a written statement on the document provided by the Student Affairs Department during enrolment. Submission of this document is a prerequisite for being administratively compliant.

The statement will involve the student providing data relating to their work situation as follows:

- whether or not he holds proof of employment in an employment contract of at least 80 hours per month;
- whether or not he holds a jobseeker's allowance certificate and the training is within the pathway to employment proposed by a regional employment service;
- whether or not he already holds a second cycle degree or master's degree.

Art.10. — Re-enrolment after a 3-year break

Students who were not enrolled in a well-defined programme for three years will be treated again as a student enrolled in the programme concerned for the first time. The acquired credit certificates and their results are retained. For all other applications in the regulations, calculations are restarted from zero.

1.3. STUDY FEE

Art.11. — General

All students who take one or more enrolments pay a one-time flat fee at the time of enrolment, plus a fee per credit taken.

The latter amount is variable and depends on the category of student: scholarship student, non-scholarship student or near-scholarship student. The set amounts can be found on the VIVES website at <https://www.vives.be/nl/studeren/wat-kost-studeren>.

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

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

Partial exemptions for a course unit do not give rise to a reduction in tuition fees. Students must still enrol for course units with partial exemptions.

Art.12. — Tuition fees in case of insufficient learning credit

For a student with insufficient learning credit, a negative learning credit or a learning credit equal to zero and to whom admission to enrolment is granted, a special tuition fee will be charged for the part of the enrolment for which he has insufficient learning credit, in accordance with the provisions in Art.21.

For scholarship students with insufficient learning credit, there is no additional tuition fee.

Art.13. — Tuition fees for combinations of examination contracts with diploma or credit contracts

An examination contract always leads to a separate registration.

A combination of enrolment under diploma and/or credit contract with enrolment under examination contract shall be considered as two enrolments. The provisions regarding tuition fees shall apply to both enrolments.

Art.14. — Tuition fees for secondary school students taking out a credit contract

Students in the final year of secondary education who enrol with a credit



contract for up to 10 credits pay 50% of the tuition fee of a scholarship student..

Art.15. — Charging of flat-rate and additional study costs

Specific and limited in scope costs for use of goods and organisation of specific events may be charged to the student insofar as they are directly related to the organisation of the programme of study. If this is the case, this will be clarified to the extent possible on the programme's webpage before the start of the academic year.

Certain costs are charged on a flat-rate basis.

Art. 16. — Tuition fees when reorienting within the KU Leuven Association in the same academic year

An undergraduate or graduate student, enrolled on a degree contract, who deregisters within the academic year and subsequently, within that same academic year, enrolls in a bachelor's or graduate programme with a degree or credit contract at another KU Leuven Association institution (KU Leuven, LUCA, Odisee, Thomas More, UCLL or VIVES) will receive an 'attestation of deregistration/reorientation' upon deregistration. With this certificate, the student no longer has to pay the fixed part of the tuition fee when enrolling at the new institution. For scholarship students, this involves the full (flat-rate) amount of the tuition fee.

Art.17. — Deregistration and change of discipline

Students wishing to permanently deregister will follow the procedure at vives.be/en/study/deregister.

A refund or recalculation of tuition fees may be made for a student who discontinues or changes courses. The amounts are listed on the VIVES website at vives.be/en/study/deregister/deregister-and-study-fees.

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

- if the student deregisters within 4 weeks of the start of the academic year, he will be refunded the full variable amount per credit; the official start date of academic year 2023–2024 is 18.09.2023; for those enrolled after 18.09.2023, the enrolment date is the start date for calculating the refund;
- if the student deregisters between 4 and 8 weeks after the start of the academic year, he will be refunded half of the variable fee per credit for the first semester subjects and the year subjects; the variable fee for the second semester subjects will be refunded in full;
- if the student deregisters after 8 weeks, he will only be refunded the variable fee for the second semester courses.

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

- if the student deregisters within 4 weeks of the start of the second semester, he will be refunded the variable amount per credit for the second semester subjects; the official start date of the second semester of academic year 2023-2024 is 29.01.2024; for those enrolled after this date, the enrolment date is the start date for calculating the refund;
- if the student deregisters between 4 and 8 weeks after the start of the second semester, he will receive half of the variable fee per credit back for the second semester courses;
- if the student deregisters after 8 weeks, the full tuition fee remains due.

Art.18. — Default of payment

The student undertakes to pay the tuition fee for the chosen programme, as well as all student invoices related to syllabi, administration fees, computing, study trips, etc. The invoices should be paid before their due date.

Any inaccuracies on the invoice should be reported in writing before the due date. Invoices are deemed 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 cessation of their course during the academic year.

Amicable collection: if payment is not made on the due date, the student/customer is reminded electronically (by e-mail) to make payment. From the 2nd reminder, sent by e-mail as well as by post, an annual interest of 7% on top of the invoice amount, as well as a fixed compensation amounting to €20, is due by operation of law. If the student/client still remains in default after the 2nd reminder, the university college will proceed to judicial collection.

Judicial collection: if payment is still not made after going through the procedure for amicable recovery, the university college proceeds to judicial recovery. In such a case, all administrative and judicial costs are borne by the student/client and the fixed compensation is increased to €100.

Anyone who fails to pay the tuition fee even after a reminder by the stipulated date will be suspended as a defaulter as a student and thus cannot participate in the examinations. Any re-enrolment is possible only after paying the amounts due for the period already completed. This provision applies to re-enrolment in both VIVES North and VIVES South. In accordance with Art.53 of the examination regulations, neither study certificates nor credit certificates are issued.



1.4. TYPES OF CONTRACTS AND PATHWAYS

Art.19. — Diploma contracts, examination contracts and credit contracts

When enrolling, a student signs up for one or more of the contract types below:

- a diploma contract with a view to obtaining a diploma;
- a credit contract with a view to obtaining a credit certificate for one or more course units;
- an examination contract with a view to obtaining a diploma (diploma examination contract) or a credit certificate for one or more course units (credit examination contract). The programme of study determines which course units cannot be taken under the form of an examination contract because of the specific forms of work and evaluation they require. In addition to the course units 'Internship', 'Bachelor's thesis' and 'Workplace learning' that are excluded for enrolment under examination contract in all programmes, other course units are mentioned in the programme guide where applicable.

A student can only obtain a diploma or certificate if he has an enrolment with a diploma contract or with a diploma examination contract.

By signing up, the choice of contract type becomes final.

Art.20. — Combination of contracts

A student may enrol simultaneously or sequentially under:

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

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

A student who has received the maximum number of examination opportunities for a course unit in the context of a well-defined contract type cannot receive additional opportunities for that course unit via a change of contract type.

Art.21. — Types pathways

§1 — Model trajectory and training stages

Each Bachelor's programme that can be enrolled with a diploma contract or a diploma examination contract has at least one model track, divided into programme stages.

First enrolment in an bachelor's degree programme

A student enrolling in a bachelor's degree programme for the first time enrolls in the model pathway with a study load of 54 to 66 credits per academic year.

This obligation does not apply to:

- a student with special status. This status may be granted to:
 - *students with disabilities;*
 - *students with learning or developmental disabilities;*
 - *top athletes;*
 - *carergivers;*
 - *foreign-speaking students;*
 - *students combining studying with a family;*
 - *students with a mandate;*
 - *working students;*
 - *student-entrepreneurs;*
 - *artists;*
 - *students with graduate degree in further education.*
- a student who has already obtained a bachelor's or master's degree or a degree recognised as equivalent;
- a student who obtained an individualised pathway based on his record.

For the **graduate programme**, the study load per programme stage, depending on the target group of the programme, may be smaller.

1.5. THE STUDY PROGRAMME OF THE INDIVIDUAL STUDENT

Art.22. — Composition of the annual programme for the individual student

The student composes his individual annual programme in accordance with the general rules described in these education and examination regulations and in accordance with the specific rules that apply to his chosen programme and/or programme components, as described in the programme guide.

The student establishes his individual annual programme no later than October 15th in accordance with the rules applicable to the programme. He cannot make adjustments on his own initiative after that date. Under the authority of the standing educational committee, this proposal is approved by November 15th at the latest, or another individual annual programme is laid down by that date in consultation with the student. From November 15th onwards, the choices made are final.

For course units that are only taught during the second semester, the student can make changes to the choices made until February 28th at the latest, in consultation with the ISP responsible. He cannot make any adjustments on his own initiative after that date. Under the authority of the standing educational committee, this proposal is approved by March 15th at the latest, or another



individual year programme is determined by that date in consultation with the student. From March 15th, the choices made are final.

Students enrolling after October 15th shall lay down their annual programme within two weeks of final enrolment. The ISP responsible approves the individual annual programme as soon as possible or establishes another programme in consultation with the student.

Changes to the choices made after the dates of October 15th or February 28th will not be allowed, except upon particularly justified request and provided that the ISP manager considers the motives serious.

Art.23. — Amending the annual programme

§1. Arrangements for students who deregister or change programmes

The date of deregistration affects tuition fees.

For bachelor's degree students, the date of deregistration also affects the learning credit and the decree threshold.

§1.1 Impact on learning credit

Before December 1st

If deregistered before December 1st, the student will be deregistered with a refund of learning credits for all course units except those course units for which results have already been determined.

Between December 1st and March 15th

For a deregistration between December 1st and March 15th, the student will be deregistered without refund of learning account for the course units starting in the first semester and the course units spread over the entire year. The student will be deregistered with refund of learning credit for the course units that only relate to the second semester, with the exception of the course units for which results have already been established.

After March 15th

For a deregistration after March 15th, the student will be deregistered without refund of learning credit.

Special arrangement for generational undergraduate students

A generation student who changes courses (redirects) before December 1st will get back the full deployed teaching credit for subjects for which he has not yet taken an exam.

If he deregisters between December 1st and March 15th, he still receives half of the learning account for course units for which he has not yet taken an exam in the first semester and for course units spread over the entire year. The student

is deregistered with a refund of learning account for the course units that only relate to the second semester.

After March 15th, he will not get back any learning credit.

Changing programmes before December 1st means that the student is de-registered for the first programme and enrolled in the other programme before December 1st. If the student deregisters from the first programme before December but only enrolls after December 1st (before March 15th) for the new programme, only half of the used learning account will be refunded.

This arrangement applies only when enrolled with a diploma contract. If the student is enrolled with a credit contract and wants to deregister, he will lose the deployed learning credit.

§1.2 Impact on the decree threshold

For Bachelor's students to whom the decree threshold system as stipulated in Art. 38. Refusal of further enrolment based on binding conditions applies, the enrolment in the bachelor's programme shall continue to count, even after de-registration, towards the determination of the time span of two academic years within which all programme components belonging to the threshold package must have been obtained.

§2 — Changes to the programmes by VIVES

Changes to the programmes by VIVES shall, except in cases of force majeure, take effect for existing entry agreements at the earliest at the start of the academic year following that in which the change was approved. VIVES shall ensure appropriate transitional provisions, which, however, do not preclude an immediate effect of a programme reform.

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1.6. EXEMPTIONS, TRANSFER OF EXAMINATION MARKS AND CREDIT CERTIFICATES

Art.24. — Exemption or transfer of examination marks

§1 — Exemptions

An exemption is the removal of the obligation to take examinations on a course unit or part thereof on the basis of a credit certificate, a study certificate or a certificate of aptitude.

§2 — Application for an exemption

Exemptions for course units of the first semester or year course units must be requested by 15 October at the latest, with the exception of alternative course forms. After that date, students can no longer invoke previously obtained credit certificates, other study certificates or certificates of aptitude to adjust their individual annual programme. Exemptions for course units of the second semester must be applied for by 28 February at the latest.

Students register their exemption requests in the application on KULoket, providing all requested documents.

Approval of exemptions takes place at the latest together with the approval of the individual annual programme, by 15 November as regards the first semester, by 15 March as regards the second semester with the exception of alternative course forms.

Students enrolling after 15 October will apply for any exemptions no later than two weeks after admission to enrolment.

§3 — Exemption: consequences

1. The exemption may 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 unit do not give rise to a reduction in tuition fees. The student must enrol for the entire course unit.
2. If an exemption is granted, the examination mark obtained will not be taken into account again. In deviation from this, previously obtained examination marks will be taken over and thus charged in the following cases:
 - a. credit certificates obtained in the context of a credit contract that are subsequently valorised in a diploma contract for the programme of study in which the same course units are located;
 - b. identical course units.
3. In principle, the scope of the exemption for a programme component is equal to the number of credits of the programme component for which the exemption is granted unless the head of programme determines otherwise. The scope is expressed in whole credits.

§4 — Application for a certificate of competence

A student who believes he is entitled to a certificate of competence based on previously acquired competences (PAC) follows the procedure found on the website vives.be/en/studying/support/exemptions.

With a certificate of competence for one or more (partial) competences, a student can apply for exemptions based on an EVC in all colleges of the KU Leuven association.

Art.25. — Credit certificate

§1 — Definition and commitment

Credit certificates for course units contained in successfully completed programmes of study are listed on the diploma supplement for that programme. Credit certificates for students who leave the college without completing a particular programme of study or without certain individual credit certificates are valorised in a programme, are issued by the Student Administration upon the student's request. The credit certificate will not be issued until the student has paid the required tuition fees.

In application of Art.98 of the examination regulations, the Examination Board may decide that the student shall not obtain a credit certificate on the grounds of an irregularity committed. Exceptionally, it may also decide to reclaim previously obtained credit certificates.

§2 — Acquiring a credit certificate

A student acquires a credit certificate for each programme component he has passed in accordance with Art.87 of the examination regulations, after the examination committee has definitively established its result. This happens after each examination period.

§3 — Extent of a credit certificate

If a student has been granted an exemption for part of a course unit, he will obtain 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 successful according to the criteria to be met for non-numerical assessment.

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

§4 - Validity of a credit certificate

However, after five years, if the institution's management can demonstrate substantial differences between the competences acquired by the student according to the credit certificate and the current intended competences of a course unit, the institution's management may require the student to bridge those substantial differences by taking one or more course units in full or in part. The aforementioned five-year period is calculated from the first day of October following the academic year in which the credit certificate was acquired.



Art.26. — Right of appeal

Decisions regarding the granting and scope of a certificate of competence or an exemption may be appealed by a student as provided for in Section 3 General Regulations, Art.III. Internal appeal procedure.

1.7. MEASURES OF STUDY PROGRESS FOR GRADUATE STUDENTS

Art.27. — Number of registration opportunities

Every student is entitled to a second enrolment for the same course units for which he was enrolled in a previous academic year and for which he did not obtain a credit certificate.

Art.28. — Study advice

All students are entitled to study advice, except students enrolled under examination contracts.

Art.29. — Refusal of further registration based on binding conditions

Starters who have a study efficiency below 60% at the end of the academic year will have binding conditions imposed by the examination board. These conditions imply at least that in the following academic year, when enrolling in the same programme, the student must achieve a study efficiency of at least 60%.

Enrolment in a programme of study as well as course units thereof will be refused under any contract type if the starter has not achieved at least 60% study efficiency in the subsequent academic year at the time of receiving binding conditions.

Upon reasoned request by the student, the group director may revoke the binding study condition after advice from the head of programme and the study pathway supervisor.

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

1.8. MEASURES OF STUDY PROGRESS FOR UNDERGRADUATES ALREADY ENROLLED IN 2022-2023 OR EARLIER

Art.30. — Number of registration opportunities

Every student is entitled to a second enrolment for the same course units for which he was enrolled in a previous academic year and for which he did not obtain a credit certificate, and provided he still has sufficient learning credit.

Art.31. — Study advice

All students are entitled to study advice, except students enrolled under examination contracts.

Art.32. — Refusal of further registration based on binding conditions

Starters who have a study efficiency below 50% at the end of the academic year will have binding conditions imposed by the examination board. These conditions include at least that in the following academic year, when enrolling in the same programme, the student must achieve a study efficiency of at least 50%.

Enrolment in a programme of study as well as course units thereof will be refused under any contract type if the starter has not achieved at least 50% study efficiency in the subsequent academic year at the time of receiving binding conditions.

Upon reasoned request by the student, the group director may revoke the binding study condition after advice from the head of programme and the study pathway supervisor.

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

Art.33. — Refusal of further enrolment on the grounds of failure to pass after sufficient examination opportunities for a particular course unit

§1 — Third registration

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

- did not achieve at least 50% study efficiency for the individual year programmes when enrolled in the programme; or
- failed two academic years in a row when enrolled on a credit contract; or
- failed two successive academic years in one year of course enrolment and only achieved a study efficiency of less than 50 per cent and the other year of enrolment under credit, respectively.

§2 — Fourth registration

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

Art.34. — Duration of refusal

A refusal based on binding conditions or failure to pass after sufficient examination opportunities will apply for the next three academic years.

This may be waived upon reasoned request to the group director.

Art.35. — Refusal on grounds of insufficient learning credit

A student who has insufficient learning credit to enter or complete an undergraduate programme:

- is admitted to enrol or re-enrol in a programme if his learning credit is higher than zero, without prejudice to internal study progress measures (refusal based on binding conditions or sufficient examination opportunities) and for a maximum number of credits for which he still has learning credit;
- will not be allowed to enrol or re-enrol in a course if his learning credit is less than or equal to zero.

This does not apply to a student enrolling in an Educational Bachelor's programme if the student already holds a Bachelor's degree.

On the advice of the study route counsellor and after evaluating the study route already taken and the possible chances of successfully completing the study programme, the group director may nevertheless grant permission to take more credits than the number for which the student still has a learning account or, if the student no longer has a learning account, to start or continue the study programme. In that case, he will have to pay the maximum tuition fee as determined by decree upon admission for the part of the enrolment for which he no longer has a learning account. Upon justified request to the group director, this may be deviated from.

1.9. MEASURES OF STUDY PROGRESS FOR UNDERGRADUATE STUDENTS ENROLLED FROM ACADEMIC YEAR 2023-2024

Art.36. — Number of registration opportunities

Every student is entitled to a second enrolment for the same course units for which he was enrolled in a previous academic year and for which he did not obtain a credit certificate and provided he still has sufficient learning credit.

Art.37. — Study advice

All students are entitled to study advice, except students enrolled under examination contracts.

Art.38. — Refusal of further registration based on binding conditions

If a student has not acquired a credit certificate or deliberation mark after his first enrolment or has not used a tolerance for all the course units taken, he must acquire them at his second enrolment in the same programme of study in a subsequent academic year. This provision continues to apply if a student has replaced an elective course unit at his second enrolment with another elective course unit. This provision does not apply when a student changes his major.

If a student does not meet this binding condition, he cannot re-enrol in the relevant programme.

Art.39. — Refusal of further enrolment on grounds of failure to pass after sufficient examination opportunities for a particular course unit after passing the decree threshold

§1 — Third registration

A student who fails the same course unit (or a course unit defined by the programme as identical in the ECTS sheet) for two academic years, under any type of contract, will be refused further enrolment in the programme if he:

- did not achieve at least 50% study efficiency for individual year programmes when enrolled in the programme;

OR

- failed two academic years in a row when enrolled on a credit contract;

OR

- failed two successive academic years in one year of course enrolment and only achieved a study efficiency of less than 50 per cent and the other year of enrolment under credit, respectively.

§2 — Fourth registration

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

Art.40. — Duration of refusal under the decree threshold

A refusal based on binding conditions is valid for the next six academic years or until graduation from another higher education programme.

The refusal to enrol applies to the relevant initial Bachelor's programme in VIVES and to any programme registered in the Higher Education Database in Flanders with the same training code and offered by VIVES or another institution in Flanders.

Removal of refusal

Students who have incurred a refusal of further enrolment in a particular programme at another institution due to failure to meet the decree threshold, and who wish to invoke special individual circumstances to lift the refusal, must follow the procedure at the institution where they incurred the refusal. Only if that institution decides to lift the refusal will the student be able to enrol in VIVES for the programme concerned.

Art.41. — Duration of refusal after failure to pass after sufficient examination opportunities

A refusal on grounds of failure to pass after sufficient examination opportunities will apply for the next three academic years.

Upon reasoned request by the student, the group director may deviate from this.

Art.42. — Refusal on grounds of insufficient learning credit

A student who has insufficient learning credit to enter or complete an undergraduate programme:

- is admitted to enrol or re-enrol in a programme if his learning credit is higher than zero, without prejudice to internal study progress measures (refusal based on binding conditions or sufficient examination opportunities) and for a maximum number of credits for which he still has learning credit;

- will not be allowed to enrol or re-enrol in a course if his learning credit is less than or equal to zero.

This does not apply to a student enrolling in an Educational Bachelor's programme if the student already holds a Bachelor's degree.

On the advice of the study route counsellor and after evaluating the study route already taken and the possible chances of successfully completing the study programme, the group director may nevertheless grant permission to take more credits than the number for which the student still has a learning account or, if the student no longer has a learning account, to start or continue the study programme. In that case, he will have to pay the maximum tuition fee as determined by decree upon admission for the part of the enrolment for which he no longer has a learning account. Upon justified request to the group director, this may be deviated from.

Art.43. — Appeals

A student may appeal a measure of study progress monitoring as provided for in Section 3 General Regulations, Art.III. Internal appeal procedure.



2. EXAMINATION REGULATIONS

2.1. GENERAL PROVISIONS

Art.44. – Objectives

These regulations lay down the rules to ensure the smooth and correct conduct of examinations at VIVES. The task of the examiner is to check whether a student has achieved the learning outcomes and consequently has the competences required for a particular course unit. The task of the examination committee is to check whether a student has achieved the learning outcomes with regard to the programme of study or the set of programme components and consequently has the competences deemed necessary to pass them.

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

Students are expected to respect the procedures in these regulations.

2.2. ORGANISATION OF EXAMINATIONS

Art.45. – Examination periods

An academic year consists of three examination periods:

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

At the end of each examination period, examination results are officially communicated. Moreover, at the request of the programme, an additional communication of examination results may be organised during the first and during the second examination period.

In exceptional individual cases, the examination committee may keep an examination period open, but for the last examination period no later than 30

September. For students in exchange programmes whose results for the previous academic year are not yet known, a decision may exceptionally be made after 30 September.

Art.46. — Partial examinations

The group director may decide that for course units organised over two semesters, a partial examination will be held at the end of each semester. This decision will be included in the programme guide.

Art.47. — Sub-evaluations and ongoing evaluation

The group director may allow that, for course units consisting of several teaching-learning activities, these activities are evaluated separately and in different ways.

The group director may also approve a form of continuous assessment for an entire course unit.

In any case, the programme guide will clarify under which adapted form a second examination opportunity is offered, or, if necessary, it will clearly state that no second examination opportunity is possible.

Art.48. — Trial examinations

The results of mock exams organised for the orientation of first-year students of a programme are not included in the final results.

Art.49. — Sub-evaluations and ongoing evaluation

Outside the periods or times mentioned in Art.45 to 48, barring the application of Art.57 or a recognised force majeure situation determined by the group director, no examination can be validly organised.

All examinations are held at a venue designated by VIVES, except:

- in case of force majeure to be determined by the ombuds;
- in the case of specific forms of work or training;
- for examinations organised within the framework of and according to distance learning arrangements.

Art.50. — Attending an oral examination

Students who so wish may 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 examined 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 shall notify the chairman of the examination committee and the ombudsperson at least seven days before an examination; the latter shall inform the examiner concerned in good time. The ombudsperson can only take written notes.

The examiner, in consultation with the group director, may ask a member of the teaching staff to attend an examination.

Art.51. — Examination regulations

The examination regulations and the examination timetables state the name of the chairman and secretary of the examination committee and those of the ombudsmen.

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

For students with special arrangements due to individual circumstances, the provisions in Art.60 apply.

Examiners and students strictly adhere to the established examination schedule and examination timetables. Examinations can be rescheduled only for weighty reasons. The ombuds makes a sovereign ruling on moves within the examination period and makes new arrangements in this case.

Art.52. — Special arrangement for 'graduates'

A student may apply to take one or more examinations early, with the aim of graduating earlier than envisaged by a standard examination schedule, in particular at the earliest time when examination results for the programme concerned are officially communicated via the study progress file.

A positive decision implies that a student takes examinations for course units that are programmed in the second semester or spread over the academic year early in the first examination period. If he nevertheless fails to take the examination in the first examination period, this implies a lost examination opportunity.

The group director may allow a student to take his second examination opportunity in the second examination period for course units for which he did not obtain a credit in the first examination period and which he has to retake or wishes to retake. The student may apply for this permission if the student meets all 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 exams in the second examination period or puts tolerance on them if necessary.

The student requests this in writing to the group director.

In the case of individual rescheduling of an examination, the form of an examination may be different from that laid down.

2.3. PARTICIPATION IN THE EXAMS

Art.53. — Condition to participate in examinations

§1 — Student fees paid

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

§2 — Being registered for the course unit

The course unit must be included in the student's individual annual programme and he must not have obtained a credit or a partial transfer for the examination in question.

Students who nevertheless take part in examinations for which they are not registered cannot receive an examination mark. The examination will be considered null and void.

§3 — Obligations per course unit

Participation in an examination may be subject to conditions such as sufficient attendance for practical units, sufficient participation in group commitments or timely submission of work papers. Each programme clearly states in the programme guide for which programme components this is the case and what the repercussions of non-compliance with these conditions are on the examination assessment. The Examination Board may determine that a student who does not meet the set conditions shall receive a zero score or a "fail" for the programme component in question or part thereof (see also Art.77). Assessment.

§4 — Verification of identity

Students must be able to prove their identity at the examination by means of their student card and/or identity card. A student who so requests will receive a certificate of participation in the examination.



Art.54. — Restrictions on participation

A student is allowed to take examinations for the same programme component or part of a programme component twice per academic year and not more than twice, regardless of which contracts he may have entered into together or consecutively. An examination not taken is considered as an examination opportunity taken, without prejudice to Art.56 of these regulations. The programme guide mentions the programme components for which the student can only be examined once a year due to the nature of that component.

Art.55. — Resumption of examinations after the first examination opportunity

For course units for which an examination is organised during the first examination period, a second examination opportunity is organised by default in the third examination period. The programme may choose to allow a second examination opportunity already in the second examination period. The student who decides to make use of this option cannot change his mind afterwards.

Before the start of his second examination opportunity the student:

- must have taken note of the examination result of his first examination opportunity via the study progress file;
- may not have deployed tolerance for this;
- must have had the opportunity to enjoy debriefing;
- should the period within which internal appeals can be lodged under Art.III, have expired

The group director may allow students who are in the final stage of their study programme to retake examinations in a subsequent examination period for specific programme components for which they have already been examined in a previous examination period and which they must or wish to retake, as stipulated in Art.52. Special arrangement for 'graduates'.

Art.56. — Making up examinations from a given examination period within the academic year

A student who for a weighty reason cannot participate in an examination during a particular examination period may request to take an examination about it in a subsequent examination period within one academic year. The group director decides, after advice from the ombuds, and after consultation with the examiner, determines the form of examination.

Art.57. — Legitimate absence

Only absences from examinations, internships or other educational activities with compulsory participation or attendance, due to illness or accident, substantiated by a medical certificate, or due to force majeure at the discretion of the ombudsperson or with the permission of the group director are lawful.

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

In case of unlawful absence, there is no chance of a make-up examination.

Art.58. — Cessation of examinations

A student registered for an examination period who does not participate in an examination during that examination period shall immediately inform the ombuds. The ombuds shall inform the examiners involved as soon as possible. At the latest two days before the deliberation, the ombuds shall also inform the department responsible for administrative processing.

Art.59. — Return of learning credit in case of force majeure

A student who found himself in a force majeure situation that prevented him from taking all or part of the examinations for the course units for which he has taken credits in an academic year may request that the credits taken that relate to the course units for which the student was unable to take examinations be added back to his learning credit.

To this end, the student shall submit a request to the Council for Disputes on Study Progress Decisions. The request shall be submitted no later than within a three-year period starting on 1 September of the academic year to which the request relates.

2.4. DIVERGENT EXAMINATION ARRANGEMENTS

Art.60. — Special arrangements in individual circumstances

Based on exceptional individual circumstances and in students with a recognised status for education and examination facilities, while maintaining the model route or their individualised route, a spread of examinations between



different examination periods may be allowed. The spread options are determined by the group director and the student cannot further deviate from them on his/her own initiative. The staggering may include students who:

- have a severe functional disability;
- have a serious medical reason;
- are recognised as an elite athlete or artist;
- have the status of student-entrepreneur;
- work full-time and take a full-time course in which they still need to complete at least 54 credits effectively;
- combine two full-time courses where they still need to complete at least 54 credits effectively for each;
- are student representatives, to the extent that their representative work would directly interfere with participation in the normal examination series or examination modalities;
- have the status of carer;
- because of religious festivals of the religions recognised in Belgium, may request a deviation from the examination regulations.

However, allowing the spread of examinations does not automatically imply the possibility of deviations from explicitly required presences or from the work and examination formats used. Where exceptionally this does prove necessary, a concrete arrangement is worked out with the ombudsperson concerned. This is done in any case for student representatives for whom an exceptional arrangement is justified.

Applications are submitted to the group director no later than one week after the announcement of the examination timetables.

2.5. EXAMS TAKEN IN ANOTHER PROGRAMME OR INSTITUTION

Art.61. — Time and place of examinations

When a student takes course units in another programme or at another domestic or foreign institution of higher education, the examination on these course units shall be taken at the time, place and under the conditions determined by that programme or institution.

Art.62. — Deliberation

If necessary, the result of an examination taken at another institution of higher education is converted under the supervision of the select examination board in accordance with the ECTS guidelines. The student is informed about the conversion rules before leaving.

Art.63. — Substitution by an equivalent course unit

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

2.6. OMBUDS

Art.64. — Assignment, appointment and availability

The ombudsperson mediates between examiners and students. He must be able to perform his mediation role in full independence.

One member of the teaching staff or another staff member with relevant experience in educational matters shall be appointed as ombudsperson and another as deputy ombudsperson for each group of students in each academic year by the group director, after advice from the standing educational committee, no later than 15 September, who shall hold this position during all examination periods of that academic year. Upon appointment, the group director shall also make arrangements for the administrative support of the ombuds.

Art.65. — Authorisations and disputes

Where necessary, the ombudsperson mediates on the date, place, forms and conditions in which an examination is taken, without prejudice to the specific powers set out in other articles.

In order to properly fulfil his task, the ombudsperson is entitled to information regarding each examination, even before the deliberation of the examination board, from his mediation role. The ombudsperson shall perform his duties with the utmost discretion.

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

The group director monitors the competence and independence of the ombuds. Disputes about the ombudsperson's competence or independence may be submitted at any time by the ombudsperson and any examiner to the general director, who will decide on the dispute.



Art.66. — Incompatibility

Under no circumstances may the ombudsperson himself evaluate the students for whom he acts as ombudsperson. If exceptionally the ombudsperson has nevertheless participated in the evaluation of a student for a programme component, the deputy ombudsperson will take his place for this student.

Art.67. — Report

After the last examination period of each academic year, the ombudsperson provides the group director with an activity report. These reports are discussed in the standing education committee at the beginning of the next academic year.

2.7. CONDUCT OF EXAMINATIONS

Art.68. — Examiner

Each examination or part of an examination shall be conducted by the lecturer of the course unit or by those who have officially replaced the lecturer for teaching the relevant lecture or conducting the relevant work or exercises.

In case of consanguinity or affinity up to the fourth degree between a student and an examiner, in case of cohabitation of a student and an examiner or in case of force majeure on the part of the examiner, the examiner shall request the chairperson of the examination board, to appoint a substitute.

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 of a number of cotitulars assesses each student, it shall be announced no later than the day before the examination concerned which lecturers examine which students.

Examinations on educational activities other than lectures may be conducted by examiners who are not course lecturers, provided that they were involved in organising the content of the educational activity. The lecturer remains fully responsible for the final assessment.

Examinations on course units or educational activities taught by guest lecturers shall, in their absence, be conducted by another examiner appointed by the group director.

An external expert who participates in the assessment of a student for a course unit can never act as the final responsible person for a course unit.

Art.69. — Information before the examinations and deadline for handing in papers

For each course unit, the ECTS sheet provides detailed information on its content and objectives, the examination material and the method of evaluation, including the weighting of any parts for which a partial mark is awarded and including the consequences of not participating in a part of the examination. If, exceptionally, the examination material or evaluation methods differ from one examination period to another, this shall be communicated in the ECTS sheet.

The Executive Board may decide that the examination format as laid down in the ECTS sheet must be changed as a result of changing urgent government measures. In that case, the changed examination format shall be announced via the electronic learning platform within a reasonable period before the examination moment, to be agreed with the STUW (student council) concerned.

If a deadline for the submission of a paper has been set and a student foresees for valid reasons not being able to meet a certain deadline, he or she shall contact the lecturer before the indicated due date, who may set a new submission deadline. The programme may stipulate in its regulations that if the deadline for submission is not respected, the paper will be considered as undelivered and the student will receive a zero for this assignment or be considered 'not done'. In this case, this sanction must be mentioned in the ECTS sheet. If this sanction is provided for, it also applies if a newly granted deadline is not met.

Art.70. — Non-compliance with contractual obligations related to internships, workplace learning and other

The 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 any other 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 unit or whether it is considered 'not taken'. In this case, this sanction must be mentioned in the ECTS sheet. In this case, the student is not entitled to an alternative assignment.

Art.71. — Refusal of internship for health reasons

If it is feared that the student's participation in internship or workplace learning will place him/herself or others in serious danger, and the dangerous situation cannot be avoided by the use of auxiliary or protective equipment or other reasonable adjustments, the student may be asked to submit an advice from an attending physician-specialist or the internal occupational physician. Based on this advice, the select examination committee may decide that the internship cannot be started (without having to provide an alternative assignment).

If a manifest unsuitability for practising the profession to which the programme he is following proves to be unsuitable, an internship may be suspended temporarily or permanently. If necessary, the select examination committee shall determine whether and under what binding conditions the student can resume



his internship or workplace learning. If the data in the file show that a subsequent registration for this internship will not yield a positive result, the examination committee may refuse to re-enrol the student whose internship or workplace learning was interrupted or terminated early.

Art.72. — Form of examination

The programme guide lists the examination form(s) for each examination opportunity.

The group director, in consultation with the ombuds, may determine that an examination may take place under a different examination format:

- in case of force majeure requiring immediate resolution
- at a catch-up exam;
- on a rescheduled exam;
- based on individual examination measures for a student. (Art.60);
- after consultation with the local student council and to meet or anticipate a possible force majeure situation.

Art.73. — General rules for examinations

The student may not carry any means (in whatever form) that enables communication or storage of data, except for materials, aids and electronic devices mentioned in the programme guide and/or in the examination instructions. In any case, the student shall refrain from unlawfully consulting course content during the examination.

Students who have received their examination questions may not leave the examination room during their examination, except under the supervision of a staff member.

Students register their attendance at the examination before leaving the examination room.

Students may not take or send examination papers and answers from the examination room.

Violations are sanctioned as examination fraud.

Art.74. — Oral examinations

In an oral or partly oral examination, a written preparation time of at least 15 minutes is normally allowed. Exceptions may be made for oral examinations in which direct communication skills and other skills are tested. The application of these exceptions is worked out, in consultation with the examiners concerned, by the group director through the examination regulations and timetables. Students may waive written preparation time.

In an oral or partial oral examination, the examiner provides several sets of questions. When assigning a question set to a student, the element of chance must be guaranteed.

For weighty reasons, a student may ask the ombuds to take exams in a manner other than the stipulated manner. The group director decides on this after advice from the ombuds.

Persons with education and examination facilities can call on the ombuds to take the necessary practical measures that will allow them to participate in the examinations in an appropriate and full-fledged manner.

Art.75. — Written examinations

A written exam may take up to half a day (about four hours).

Students may not leave the examination room until 30 minutes after the start of the examination.

A student who is more than 30 minutes late will not receive the examination questions and will be considered absent.

Art.76. — Written online examinations

In an online written exam, the student will show an identity proof showing his/her name, first name and photo at the identity check.

The student's face and eyes are visible on camera during the exam. The student's face never disappears from the picture during the exam.

Before the start of the exam, the student performs the room scan, filming at least his worktop or table, the room in front of him, to the left, right and behind him. In addition, the student films in detail the tools he will use for the exam.

The student does not use headphones or any variant, such as a headset, earbuds,... Failure to comply with these instructions is considered examination fraud.

Art.77. — Assessment

Each course unit is assessed on 20 points. The result is expressed exclusively in whole numbers. The standing educational committee may decide that a course unit is assessed in the form of a pass/fail decision. The entry shall be included in the programme guide.

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

- a course unit (OPO) with one teaching-learning activity (OLA) and only one score;

- a course unit with multiple educational activities and a score for each educational activity;
- a course unit with multiple teaching activities and only one score for the entire course unit

The assessment for a teaching-learning activity can consist of several assessment components, each with its own score.

Any scores for evaluation items will be converted into one final score out of 20 points by the holder before deliberation. If the student does not participate in any of these evaluation items, a 0 score will be assigned for this evaluation item. If the student does not complete any evaluation item, the evaluation activity is assessed as 'not completed' (NA). In these examination regulations, NA is considered equivalent to a non-tolerable fail; see Art.95. Deployment of tolerances. This NA score leads to an NA score for the OPO.

Different pass criteria are mentioned in the ECTS sheets and must be approved in the POC.

Art.78. — Administrative processing

Examiners shall communicate their examination assessment to the competent administrative department as soon as possible after the examination.

This communication shall be 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 COMPETENCE

Art.79. — Composition

A select examination board and a full examination board will be established for each programme.

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

The group director determines the number of members of the examination committee for each programme. He also determines how members are appointed and whether deputies can act.

The composition of the examination committee is representative. It consists of at least six members, except in programmes where all examiners taken together, including the chairman and secretary of the committee, do not reach that number.

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

Art.80. — Authorities the select examination committee

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

Before each official announcement of examination results, the select examination committee shall finalise the results of the examinations on the course units, except for the results of students who may graduate after the examination period. It prepares the deliberations by the examination committee as a whole.

For tenders for a credit contract or an examination contract for the purpose of acquiring individual credit certificates, it shall finalise the results with a view to issuing a credit certificate or not.

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

The select examination committee acts in the cases stipulated in Art.85. Consultation of non-members by the examination committee with regard to the hearing obligation and the hearing rights of students and examiners. It corrects material errors that do not affect passing a programme component or programme of study or the degree of distinction, as stipulated in Art.103. Material errors and/or errors of assessment established after deliberation.



Art.81. — Powers of the full examination board

The task of the examination committee is to check whether a student has achieved the learning outcomes with regard to the programme or programme components and consequently has the competences deemed necessary to succeed.

Before each official announcement of examination results, the programme's examination committee finalises the examination marks for each student and determines whether a student has passed a programme and with what degree of merit.

The established results can only be changed to the student's disadvantage if a serious irregularity is established. They may still be changed in accordance with the procedure and within the time limit laid down in Art.103 on material errors.

In the second and third examination period, the examination committee has the obligation to impose binding conditions for starters who have not yet achieved 50% study efficiency. Nevertheless, it can also decide not to impose binding conditions on the grounds of force majeure or special individual circumstances or offer the student an additional one academic year to meet the binding conditions. The examination committee's decision to extend the fulfilment of the binding conditions or not to impose binding conditions shall be carefully motivated.

Before each official announcement of examination results, the examination committee decides on students for whom force majeure or other special circumstances may be taken into account. In such a case, the Examination Board may decide to consider one or more non-tolerable fail marks as tolerable after all and also charge them as such with regard to the 10% tolerance rule, as described in Art.90. Moreover, it may decide to deviate positively from the 10% tolerance rule. The Examination Board's decision in such cases shall be carefully motivated.

The examination board also has the right to issue recommendations with regard to individual students and/or to impose special measures of study progress on individual students.

2.9. DELIBERATION

Art.82. — Attendance

The members of the examination committee take part in the deliberations and sign the attendance list. The examination committee shall make valid decisions when at least half of the members or, if applicable, their replacements, are present. A member who is legally prevented from attending shall notify the chairperson of the examination committee as soon as possible.

If certain students are required to keep themselves available to the examination committee during deliberations, they will be notified in advance on the initiative of the chairperson of the examination committee.

Art.83. — Confidentiality

The members of the examination board and all persons present at the hearing shall be bound to secrecy about the deliberations and votes.

Art.84. — Persons entitled to vote

All members of the examination board have an equal, decisive vote.

Members of the examination committee do not take part in deliberations on decisions regarding relatives by blood or marriage up to the fourth degree or regarding students from whom they have a personal interest.

Members of the examination board about whom it is proposed that a mark they awarded to an individual student or a group of students is manifestly unreasonable shall not participate in the deliberations on that student or group of students.

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

Art.85. — Consultation of non-members by the examination committee

Any examiner who is not a member of the examination committee may be heard by the select examination committee and the examination board at any time upon request.

The same applies to any student about whom a decision will be taken by the examination board.

In case of examination fraud, before the examination committee can make a decision, the select examination committee must 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 ombuds.

If the select examination board finds that the mark 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 board can make a decision.

The examination committee itself can always decide to hear an examiner who is not a member of the examination committee about a decision it has proposed.

Art.86. — The examination board as a college and its decision-making and voting rules

The examination committee acts as a college. A decision on a student is adopted by the examination board by a simple majority i.e. more than half of the members present.



At the suggestion of the chairman or if requested by a member of the committee or the ombudsperson, a secret vote will be taken on a decision, both during and at the end of the training. In votes, invalid votes and abstentions are not counted. In the event of an equality of votes, the proposal most favourable to the student shall constitute the committee's decision.

Art.87. — Criteria for passing a course unit

Students pass a course unit if they achieve at least 10/20 or the "pass" rating.

In both cases, the student acquires a credit certificate unless he would not have paid the tuition fee on time or an irregularity has been established for which the student will receive a sanction.

Art.88. — Weighting

To determine the percentage achieved over an entire programme, the credits obtained for each programme component are weighted according to the number of credits associated with it.

Course units assessed according to the pass/fail model are not counted in the calculation of the percentage.

Art.89. — Rounding rules

For the purposes of Art.90, 92 and 94:

are the student's aggregate results rounded down to the underlying percentage for decimals 0.1-0.4 and up for decimals 0.5-0.9;

is the number of credits corresponding to the application of the 10% rule and the 50% study efficiency rule rounded down to the underlying number of credits for the decimals 0.1-0.4 and up for the decimals 0.5-0.9.

Art.90. — Criteria for passing training

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

condition a:

He is exempt or passed 10/20 or assessment "pass" for all course units of the programme within the diploma contract or the examination contract with a view to obtaining a diploma;

condition b:

He achieves at least 50% as a weighted percentage for the programme as a whole;

condition c:

He obtains a maximum of 10% tolerable unsatisfactory marks for all the actual credits of the programme, limited to the number of credits of the model route of the programme as a whole. Tolerable fail marks are assessments of 8 or 9 out of 20.

condition d:

He passed all course units with a pass/fail rating.

In deviation from what is stipulated in c above, the general director may decide, on the proposal of the standing educational committee and after advice from the academic board, that for certain course units a failing grade is not tolerable and such a failing grade will therefore always result in a failure. Such deviations shall be included in the programme guide.

Art.91. — Passing subsequent training

Students enrolling in a contiguous programme can only pass the contiguous programme after passing the previous programme.

Art.92. — 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 Art.90 shall obtain the diploma or certificate of the programme.

A student who graduates will be awarded the following degree of merit:

- In a satisfactory manner, if he scored less than 68 % of the points;
- Distinction, provided he scores at least 68 % of the points;
- Major award, provided he scores at least 77 % of the points;
- Greatest award, provided he scores at least 85 % of the points;
- Grand distinction and the congratulations of the examination board, provided he gets at least 90 % of the points.

The calculation is done on the examination results of the whole course.

No degree of merit will be awarded to students whose actual programme of study taken is less than 20 credits, or for a programme for which more than half the credits are scored with pass/fail.

An individual student who does not meet the criteria for a particular degree of merit may still be awarded this degree of merit, if the examination board:

- Determines Force majeure;
- OR**
- Makes a reasoned decision to that effect. 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 requests it, a secret vote shall be taken.



Art.93. — Deliberation report

The deliberation report shall be drawn up and signed by the chairman and secretary of the examination committee. It contains the attendance list and mentions for each student the decision or determination as stipulated in Art.85 and 86 and, if applicable, the compliance with the procedural requirements of Art.47 to 52. The report contains the examination marks or refers to the examination marks that are attached to the report or included in a secured electronic file. Where applicable, the deliberation report shall also include the reasoned decisions taken pursuant to Art.81, 86, 88, 90, 92, 94, 95, 98 and 103.

2.10. RETAKING EXAMS ON COURSE UNITS AND DEPLOYING TOLERANCES

Art.94. — Retaking examinations on course units

§1 — General principle

A student may take examinations on the same course unit or part of a course unit twice per academic year and not more than twice, whichever contracts he may have entered into together or consecutively. An examination not retaken or not taken is regarded as an examination opportunity taken. By changing contracts, a student cannot acquire more examination opportunities. The ECTS sheet shall mention it if the nature of that component allows the student to be examined only once a year.

In exceptional cases, a student in the final stage of a programme may be granted admission to a third examination opportunity by the group director.

§2 — Retaking examinations on course units within the academic year

After the first examination opportunity, the student decides whether he will take a second examination opportunity for the examinations he failed. According to a procedure established by the university college, he must communicate which examinations he will retake in the second examination opportunity. The student cannot retake examinations for course units for which he used tolerance.

The result of a credit certificate is final. Once the credit certificate is obtained, the student cannot retake this course unit.

A second examination opportunity does not necessarily take place under the same examination format, this is also mentioned in the ECTS sheet.

The grade of the first examination opportunity will be retained if it is higher than the result the student obtains in the second examination opportunity.

§3 — Transfer of partial results on educational learning activities

If a course unit consists of several educational activities, which are evaluated separately, the examination result is automatically transferred to a next examination period in the same or a following academic year, as long as the student has obtained at least 10 or a 'pass' grade on that educational activity.

In case of a partial transfer, the originally obtained partial mark is settled in a new final mark for the course unit. The student only retakes the evaluation activity(ies) for which there was no transfer of the result.

§4 — Transfer of (partial) results within an academic year when there is no second examination opportunity

If there is no second examination opportunity for a (part of a) course unit, the examination result of the first examination opportunity is carried over to a subsequent examination period.

Art.95. — The use of tolerances

§1 — General principle

Tolerances can be deployed by the student or automatically provided that:

- the total number of deployed tolerances for a student, expressed in credits, together do not exceed 10% of the credits for the entire programme, after deduction of exemptions. For the nursing programme (240 credits), the maximum number of credits to be tolerated is capped at 18 credits;
- the student achieved a study efficiency of at least 50%.

The programme guide states for which course units a failing grade is always non-tolerable.

Students who have not yet acquired 60 credits in the programme, including exemptions, may retain examination results of tolerable failing grades for a maximum of 12 credits. Exceptionally, the group director may deviate from this after advice from the study pathway supervisor/head of programme.

Tolerance cannot be used for course units where fraud was committed and sanctioned for the course unit or part of it.

For certain forms of training, the chief executive officer, on the proposal of the POC and after advice from the academic council, may grant a derogation from these rules.

§2 — Tolerances deployed by the student

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

They can take this decision even after the first examination period, if their individual study programme does not include course units from the second semester.

In his tolerance file, the student indicates the course units for which he wishes to keep a tolerable fail and saves this choice definitively. He has 15 calendar days from the day after the results appear in his KULoket.

Tolerances provisionally stored will be cancelled after the 15 calendar days have elapsed.

If a student does not choose to use tolerances within the predetermined period, it is assumed that he will retake the examinations on the course units.

The decision to keep a tolerable insufficient cannot be revoked.

Exceptionally, upon reasoned request and permission of the chairperson of the examination committee, a student may retake a previously obtained tolerable fail that he had retained until then at the end of his programme.

He must then re-enrol for the course unit and take examinations on it, based on the curriculum of that academic year.

§3 — Automatically deployed tolerances

For students for whom in an initial Bachelor's programme the decree threshold as mentioned in Art. 38. Refusal of further enrolment on the basis of binding conditions applies, after the end of the first academic year and after the end of the second academic year of enrolment in the initial Bachelor's programme concerned, tolerances are automatically used for the programme components of the threshold package. For the student who has obtained a 6 or 7 out of 20 for one course unit of his threshold package and has obtained a credit for all other course units of his threshold package, the 6 or 7 out of 20 is exceptionally considered a tolerable mark that is automatically tolerated if all other tolerance conditions are met.

For students who are in the final stage of their programme and can consequently obtain the diploma, tolerances are automatically deployed if this allows the student to pass the programme

In each of these cases, the credits will be deducted from the tolerance credit.

A student who disagrees with a decision of the examination board to use tolerances shall notify the chairperson of the examination board within 48 hours of the announcement of the results.

If the student avails of this option, the overall result for the course pass/fail and any grade of merit will be provisionally reversed. The student retakes the course unit.



2.11. EXAM FRAUD

Art.96. — Definitions

Examination fraud is considered to be any conduct by a student in the context of an examination which wholly or partly prevents or attempts to prevent the formation of a correct judgment regarding the knowledge, insight and/or skills of himself or other students.

Plagiarism is a form of examination fraud that consists of any copying of the work, ideas, texts, structures, images, plans ... in an identical manner or under slightly modified form and without adequate source citation including output that is not self-produced but generated by artificial intelligence or similar systems.

Art.97. — Procedures

Any staff member who identifies or suspects examination fraud shall inform the chairperson of the examination board as soon as possible of any form of examination fraud committed in an evaluation or examination that may affect the final decision of the examination board.

The select examination committee or the examination board shall hear all those involved. The student may be assisted by a person of his/her choice and/or a counselor who cannot be a staff member or student of the college and/or by the ombudsperson.

The select examination committee or the examination board formulates a proposal of examination disciplinary decision if necessary.

In case of a violation that may be considered plagiarism, the select examination board, possibly in consultation with the expert appointed within the university of applied sciences, investigates whether plagiarism has been committed. It also investigates the seriousness of the violation and reports to the examination board.

Pending a ruling by the examination committee, the student may continue to complete the evaluation and examination series, including the examination in question, albeit, with regard to the latter, after confiscating the disputed papers and the copy already made, if necessary.

The select examination committee or the examination board shall hear the student before any decision of the examination board on a committed examination fraud.

Art.98. — Penalties

On the basis of examination fraud committed in an examination, the examination committee may decide at the time of deliberation that the student:

- took the examination in an invalid manner and must retake it. The field of study determines the time and form of examination;
- gets an adjusted grade on the exam or paper;
- gets a 0 on the examination or paper of the course unit or a sub- part thereof;
- gets a 0 for some or all exams in the relevant examination period;
- is not receiving a mark for the examinations of the relevant examination opportunity;
- is rejected for one or more course units. For that examination period, the student will receive a 0 for the course unit(s) in question and will not be able to retake an examination until a subsequent academic year at the earliest.
- Is rejected for the programme: the student can re-register for examinations in the first examination period of the following academic year at the earliest. The rejected student loses all examination marks obtained in the examination opportunity in question. This can only be done on the grounds of a very serious irregularity; the examination committee decides on the seriousness of the irregularity.
- may additionally be required to take a different subject and/or supervisor for the final or undergraduate thesis.
- loses the right to enrol for the next academic year or the next two academic years for all programmes at VIVES. The student also loses all examination marks obtained in the examination period or block concerned. This can only be done on the grounds of a very serious irregularity.

The 'retention of highest grade' rule expires for all possible decisions.

In cases of plagiarism, the examination board may link sanctions to compulsory participation in a self-study module or other forms of in-service training related to plagiarism.

The seriousness of the offence and the penalty for plagiarism are assessed according to the following elements:

- the extent of plagiarism;
- the nature of plagiarism: poor referencing, absence of references ...;
- the student's experience, the extent 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 study career;
- the intent to cheat.

Decisions relating to examination fraud may be appealed by a student as provided for in Section 3 General Regulations, Art.III. Internal appeal procedure.



2.12. ANNOUNCEMENT AND DISCUSSION OF EXAMINATION RESULTS

Art.99. — Communication of the decisions of the examination committee during the programme

The chairperson of the examination committee shall determine the time and manner in which the examination results for all programme components are communicated to students via the study progress file. The communication shall refer to the appeal procedure.

The announcement of the examination results via the study progress file is the only official announcement of the examination results. An appeal according to Art.III of these regulations can therefore only be lodged from this official announcement.

Results that would be announced orally or through other means are therefore always preliminary results.

An examiner may provide oral qualitative feedback to an individual student during the examination period at the end of a course unit as a function of maximising the study efficiency of subsequent course units, without communicating the examination result obtained.

Students registered for a diploma contract or an examination contract with a view to obtaining a diploma or certificate will be notified of an updated overview of the status of their individual summary report.

Students with a credit contract and with an examination contract for the purpose of acquiring credit certificates will only receive a notification of the results on the course units for which they took examinations in the examination period concerned and, if applicable, the notification that they will be refused for a subsequent enrolment in one or more course units.

Students are offered the opportunity to take note of generalised examination results of the student group relevant to them, in order to situate their results on the course units for which they took examinations in the academic year concerned.

On the diploma supplements, examination marks are converted into the following code marks:

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

Art.100. — Discussion of results and right to feedback

Students are given the opportunity for feedback within the first five calendar days following the day of the official announcement of results. This feedback shall be organised in the form of a perusal of their written examination and/or an individual and/or a collective debriefing of the examination. The arrangement for feedback and debriefing shall be announced to students at least one week before the announcement of results.

The student may be accompanied by a person of his/her choice.

Students requesting a copy of an examination or deliberation report shall follow the procedure stipulated in Section 3 General regulations, Art.105. Public access. Outside this possibility, it is forbidden to make a reproduction/copy of the documents mentioned above by means of any device, e.g. photograph.

2.13. DISPUTE RESOLUTION AND MATERIAL ERRORS

Art.101. — 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 may jeopardise the correct course of the evaluation shall be communicated by either party to the chairperson of the examination committee as soon as possible, possibly through the ombuds. The chairperson mediates and, if necessary, possibly after consultation with the select examination committee, takes provisional measures to ensure the correct course of the examination. The examination committee makes the final decision. In any case, the select committee hears the examiner and the student. The student and the examiner may also be heard by the examination committee itself, at their request.

Art.102. — Material errors established before a deliberation

If a material error is established before deliberation, the examiner shall communicate the correct examination mark to the competent administrative department.

Art.103. — Material errors and/or errors of judgement established after deliberation

If a material error and/or errors of judgement are found after deliberation, this is formally reported to the chair of the examination board.

An error that does not affect the passing of a course unit or the programme of study 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 department shall communicate a corrected examination result to the student. The chairperson and secretary shall report on this at a subsequent meeting of the examination committee.

If the established error does affect the passing of a course unit or the programme of study, or the degree of merit obtained, the chairperson shall reconvene the full examination committee as soon as possible. The established results may still be changed:

- In het nadeel van de student binnen een termijn van 10 kalenderdagen na de mededeling van de resultaten (enkel in het geval van materiële vergissingen);
- In het voordeel van de student.

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

3. GENERAL ARRANGEMENTS

3.1. STUDENT RIGHTS AND OBLIGATIONS

Art.104. — Equal treatment and reasonable accommodation

College students are entitled to equal treatment. Unequal treatment requires an objective basis and the difference in treatment must be proportionate to a legitimate objective to be pursued.

The college takes general measures to ensure equality of opportunity and accessibility to the college in material and immaterial terms for students with special status. This status may be granted to:

- students with functional, learning or developmental disabilities
- top athletes
- carergivers
- foreign-speaking students
- students combining studying with a family
- students with a mandate
- working students
- student-entrepreneurs
- artists

Based on a special statute, students can request reasonable adjustments regarding education or examination facilities according to the procedure which can be accessed at [vives.be/en/studying/support/education-exam facilities](https://vives.be/en/studying/support/education-exam-facilities).

Art.105. — Publicity of governance

Any student may inspect the documents on which decisions concerning him were based, without being entitled to inspect data relating to other students. At the latest one month after the start of the following academic year, he may submit a request to this effect to the group director of his study programme. Such inspection shall be granted within a reasonable period of time. Copies of documents will only be granted with unidentification of data that do not relate to the student. The university college will charge a reasonable fee per copied page. The examination regulations stipulate in Art.100 the right of inspection with regard to examinations and deliberation reports.

Every student may, in accordance with the legislation on the protection of personal data, request once a year access and, if necessary, correction of the personal data that the college holds about him electronically. The exercise of that right is requested from the group director.



Art.106. — Specific rights and obligations

§1 —

In particular, students are also entitled to:

- support due to the college's student facilities: see www.vives.be/nl/studeren/stuvo of our college;
- access to general study support services;
- access to selective social services such as social service student loans, student housing, medical and psychotherapy centre, etc. according to the criteria determined by the services;
- the use of the library according to library regulations: see <https://www.vives.be/nl/studeren/cocon>;
- the use of computer infrastructure according to the specific regulations;
- educational support through TOLEDO: see www.vives.be/nl/studeren/toledo.

Students with examination contracts cannot claim these opportunities. The college only commits to conducting the exams.

Students have a duty to use the immovable and movable property of the college 'with due diligence' and to behave in accordance with the regulations applicable within the college.

§2 —

Official communication between VIVES and students is through the VIVES student e-mail address. Enrolled students must read their mails at that mail address with regularity and cannot rely on not reading it to escape obligations/changes.

§3 —

Students are expected to consult communications on TOLEDO on a regular basis.

§4 —

Students are not entitled to make sound or video recordings of the educational activities, unless a specific agreement has been made to this effect with the course unit holder. The recording material can only be used for didactic purposes for the student himself or for the student group of the current academic year. Commercial use is excluded, as is the recording of examinations for any use whatsoever. The recording material will not be published on publicly accessible

websites. Distribution of the recording material is subject to official privacy laws. A student who uses the material without regard to these agreements will be subject to the sanctions of the disciplinary regulations.

§5 —

Students cannot oppose the making of recordings of teaching activities used by the teacher for simultaneous broadcast and/or posting on learning platforms. They can, however, request not to be filmed personally.

§6 —

Under no circumstances may students reproduce and distribute learning materials, course texts, exercises, slides, etc. made available to them by VIVES for payment or free of charge in the context of their training, so that commercial advantage can be taken of them or third parties.

Students are also not allowed to reproduce and use examination materials made available to them by VIVES for a fee or free of charge as part of their programme of study for other than personal purposes.

A student who fails to 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 laws.^{§76}. Students are entitled 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 unit. The digital notes can only be used for didactic purposes for the student or the student group of the current academic year. Commercial use is excluded. A student who uses the material without respecting these agreements will be subject to the sanctions of the disciplinary regulations.

§7 —

Persons who fraudulently forge VIVES documents will face legal action. Moreover, if they are students of VIVES, the disciplinary regulations will be applied.



Art.107. — Protection of personal data

Each student may request inspection and possible correction of the personal data that VIVES holds about him electronically once a year.

By enrolling, the student gives permission to VIVES to:

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

Students' personal data are collected and used for internal student administration. In addition, students' personal data and photos may be used for the students' own publications such as vade mecum, photo book and the like.

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

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

Art.108. — Retention period of documents

Documents, other than examination copies, relating to decisions regarding a student shall be kept for at least three years after the student was last enrolled at the institution for the programme or course unit concerned.

Art.109. — Intellectual property rights on student works

Works that the student realises in the context of a programme at VIVES may, among other things, take the form of (i) results from research and development, such as but not limited to a technical invention, (ii) works of literature or works of art within the meaning of Belgian copyright regulations, such as but not limited to papers and the Bachelor's thesis.

Current article does not affect the principles set out in Belgian intellectual property regulations.

§1 — Property rights

As a general principle, intellectual property rights to works belong to the student who realised the work.

However, if the student makes the work created during and in the context of the study at VIVES known to third parties, in any form of presentation, the student will always mention VIVES and the study programme concerned.

An exception to this is when the work the student realised builds, in whole or in part, on work already realised within VIVES or when the work is part of a larger project (internally or externally subsidised), of scientific services or of contract research. In this case, the rights to the work realised by the student belong to VIVES.

An exception may also be made if an external organisation is involved in financing or realising the work, for example in the context of an internship or a project. In this case, a different allocation of rights to the work may be laid down in writing between the student, VIVES and the external organisation.

It is also always possible for a non-disclosure agreement to be concluded in advance if the work contains confidential data or if VIVES or the external organisation wishes confidentiality on certain content of the work.

§2 — Rights of use

Subject to the exceptions mentioned in Art.109 § 1, the student grants VIVES a free, inalienable, non-exclusive right of use to the works for teaching and research purposes for the full duration of the rights. This right of use takes effect from the moment the student submits the work to VIVES or from its creation within the framework of the course unit at VIVES.

This includes at least the following rights:

- the right to use the work as teaching material, indicating the student's name;
- the right to use the work as part of show moments or communication, whether through digital forums or otherwise, about the college and the programme, with the student's name mentioned.

The right of use for VIVES is always guaranteed by the student, even if the student proceeds to exploit the work.



3.2. LEGAL PROTECTION AND HANDLING OF COMPLAINTS

Art.110. — The ombuds

The study area director appoints a member of the teaching staff or another staff member with relevant experience in education as ombudsperson. Throughout the academic year, students can turn to this ombudsperson with regard to aspects of educational care that, because of their personal situation, cannot be dealt with adequately by other bodies. The ombudsperson mediates between the students involved, the lecturers and the policy-making bodies.

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

Art.111. — Internal appeal procedure

Internal appeals are possible against:

- a refusal to deviate from a study progress measure;
- decisions on granting and scope of a certificate of competency;
- denying the right to continue taking a course unit;
- a decision regarding the granting and scope of an exemption;
- an examination decision: an examination decision is considered to be any decision of an examination board in which:
 - *An assessment for an individual course unit is finalised;*
 - *A dispute is settled;*
 - *The overall result and whether or not to award a degree of merit for an entire course will be decided;*
- denying teaching or examination facilities to a student with a specific status.

§1 —

A student who considers that a decision taken violates his rights may lodge an internal appeal with the Internal Appeals Committee.

§2 —

The student must initiate the internal appeal procedure within a period of seven calendar days starting

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

§3 —

The student sends his petition by e-mail to interneberoepscommissie@vives.be. In the subject line, the student writes 'internal appeal procedure programme X'. In the e-mail itself he gives his personal details (name, address, telephone number), his study programme and, if applicable, graduation programme, and the programme stage he is in. The student gives a clear, argued description of his objection: the course unit, the name of the lecturer(s) involved, facts, ...

The internal appeals committee consists of at least two members of the Executive Board. The composition of the committee shall take into account that there cannot be any conflict of interest in the assessment.

The appeal body shall hear the student at his/her request and request information from all parties involved and in any case the holder of the course unit concerned if applicable.

The internal appeal process leads to:

- the reasoned rejection of the appeal on grounds of inadmissibility or unfoundedness;
- a reasoned confirmation of the original decision;
- a reasoned review of the original decision;
- the return to the examination board: if the appeal board overturns a study progress decision, it can order the body that made the decision to make a new decision that must take into account the conditions set by the appeal board.

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

In exceptional cases, the Internal Appeals Committee may, within the time limit at its disposal, inform the student in a reasoned manner that it will rule on a later date. In that case, the period for external appeal only starts the day after the date on which the internal appeals committee communicated its decision to the student.

After this internal appeal option has been exhausted, the student may, in accordance with the provisions of the Decree of 19 March 2004 on the legal status of students, lodge a further appeal with the Council for Disputes on Study Progress Decisions.



3.3. CODE OF CONDUCT ON LANGUAGE REGULATION

The language of instruction is Dutch.

However, different language may be used for:

- a. course units that have a foreign language as their object and are taught in that language;
- b. course units taught by foreign-language guest lecturers;
- c. foreign-language course units taken, with the consent of the university of applied sciences, at another institution of higher education.

The university of applied sciences may also decide that a language other than Dutch is used to a limited extent for course units where the added value for students and the functionality for the programme is evident from the explicitly motivated decision to do so and on 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 scope of the training programme excluding points a and c.

Students are entitled to take examinations in Dutch on a course unit in which a language other than Dutch was used, with the exception of the course units referred to in points a and c.

Notwithstanding the above, the college shall determine the language of instruction for undergraduate courses.

3.4. CODE OF CONDUCT ON WEARING RELIGIOUS SYMBOLS

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

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

3.5. DISCIPLINARY RULES

Art.112. – General

The student behaves, both inside and outside the college context, in a manner that would be expected of a normal and careful student. The student is expected to be respectful of both the institution, its staff and property and fellow students and their property. The student behaves towards everyone in a dignified and courteous manner.

The student is bound by the same duties on any internships.

Students who violate these duties expose themselves to disciplinary action.

Non-limitatively, the following behaviour may give rise to disciplinary proceedings: disruption of lessons, aggression, violence, theft, cheating, harassment, bullying, stalking, sexual and other harassment, racism, drug and alcohol use (details on substance use are described in the student substance policy plan), damage and destruction, violation of privacy, the right to image and all other intellectual rights, forgery, etc.

Art.113. – The disciplinary committee

The disciplinary committee at the study area level consists of the following members:

- the director of education policy, who sits as chairman;
- the group director of the concerned student;
- a student representative from the Governing Body ;
- the non-voting secretary (HR and finance department employee);

The following are designated as deputies:

- for the director of education, for the president: director of student affairs, information and technology;
- for the study area director of the involved student: the study and pathway supervisor involved student;
- for the student representative from the Governing Body: another student representative from the Governing Body.

The decision of the disciplinary committee is taken by a simple majority of votes. In the event of a tie, the chairman decides.

The disciplinary committee may be assisted by a non-voting secretary (HR and finance department employee) and one or more counsellors. The counsellors may not be present during the deliberation and vote.



Art.114. — Disciplinary penalties

The following disciplinary sanctions may be imposed:

1. recovery-oriented assignment;
2. blame;
3. temporary ban on using certain services or participating in certain educational activities or enjoying certain educational support facilities for a certain period of time. This temporary ban may be pronounced for a period not exceeding 6 months;
4. the disciplinary suspension which includes a ban on using the services of VIVES and participating in educational activities for a certain period of time. The student retains the right to participate in examinations. This disciplinary suspension may be pronounced for a period not exceeding one year;
5. the disciplinary suspension implies a ban on using the services of VIVES, participating in educational activities and taking examinations for a certain period of time. This disciplinary suspension can be imposed for a maximum period of one year;
6. the exclusion resulting in the immediate loss of student status without the prohibition to re-enrol at VIVES in a subsequent school year;
7. permanent exclusion, leading to immediate loss of student status and prohibition to re-enrol at VIVES.

The remedial task should be specified (both by subject matter and time period within which it is to be carried out) in the disciplinary decision.

The remedial order may be imposed either as a main sanction or as a sanction linked to the sanction imposed in Article 114, points 2, 3, 4. and 5. This sanction, imposed either as the main sanction or as an additional sanction, is always linked to a substitute higher sanction that may be imposed if the disciplinary committee considers that the remedial order was not properly carried out.

Art.115. — The disciplinary procedure

§1 —

As soon as the head of the study area in which the student is enrolled is informed of a complaint or facts that could potentially lead to disciplinary proceedings, he shall investigate this complaint and/or facts. To this end, he may be assisted by teaching or administrative staff who are not members of the disciplinary committee.

The head of training shall inform the student by registered letter and/or against receipt of the facts he is investigating. The head of training can only investigate facts of which he has had knowledge for less than six months. The date on which the registered letter notifying the start of the disciplinary investigation is sent or the date on which the letter issued against receipt is issued is relevant here.

§2 —

If, after investigation, the head of training concludes that there are no grounds for imposing a disciplinary sanction, he will inform the student, and the disciplinary proceedings will stop.

However, if the disciplinary proceedings do not proceed, the head of programme and/or group director have the option, independently of the disciplinary proceedings, to issue a written warning to the student, to which conditions may be attached.

If, after investigation, the head of training believes that there may be grounds for imposing a disciplinary sanction, he communicates his findings and any disciplinary file to the disciplinary committee. At the same time, he informs the student that he has forwarded his findings to the disciplinary committee, which will handle the case further.

§3 —

In case the head of training has submitted his findings and accompanying documents to the disciplinary committee, the student will be heard by the disciplinary committee.

The student will be summoned at least 8 calendar days before the hearing by registered mail and/or against receipt.

The convocation notice states:

- the facts about which the student will be heard;
- the fact that possible disciplinary sanctions will be imposed, indicating the possible disciplinary sanctions;
- the place, day and hour of the hearing;
- the student's right to be assisted by counsel;
- where and when the file can be inspected, with the possibility of requesting a copy of the file;
- the right to call witnesses;
- the list of witnesses who may be called by the disciplinary committee;
- the right to submit written defence until the second day before the hearing.

If the student wishes to exercise his/her right to call witnesses, the student shall provide a list of the witnesses he/she wishes to call at least 4 calendar days before the hearing. The student himself ensures that the witnesses he wishes are present at the hearing.

§4 —

A report of the hearing will be drawn up. If the official report is not drawn up and signed immediately, it will be drawn up and sent to the student within 4 calendar days of the hearing, with the request that the official report be signed and, if necessary, completed with comments, returned to the disciplinary committee



within 4 calendar days. If the student does not return the official report signed within the stipulated period of 4 calendar days, it implies acceptance.

If the student, notwithstanding being duly summoned, fails to appear, a record of non-appearance shall be drawn up and the disciplinary committee shall decide by default.

A record of any witness examination will also be drawn up and signed by the witness in the same manner as described above. A copy of the signed minutes of witness examination will be given to the student.

§5 —

After the disciplinary committee is in possession of the hearing record signed by the student and any witness statement signed by witnesses, or after the expiry of the time limit to return the hearing record and any witness statement signed, the disciplinary committee will decide in a reasoned decision, within 4 weeks, whether the charges have been proven and whether a disciplinary sanction should be imposed on the student.

§6 —

The student shall be notified of the disciplinary decision without delay by registered letter and/or against receipt. A copy of the decision shall be transmitted to the group director.

The disciplinary sanction takes effect the third day after the registered letter is sent and/or issued against receipt.

The disciplinary decision or the letter accompanying the disciplinary decision shall mention the internal appeal option. In the absence of mention of the appeal period, the appeal period shall begin to run one month after the date of the decision taken by the disciplinary committee.

Art.116. — The preventive suspension

§1 —

If a disciplinary investigation was initiated against a student by the head of education and the student's presence is incompatible with the interest or proper functioning of the school, or its staff and/or fellow students, the head of education may request the disciplinary committee to suspend the student preventively as a measure of order. In this case, the disciplinary committee shall summon the student by registered letter and/or against receipt to be heard on this request.

§2 —

The student will be summoned at least 4 days before the hearing by registered mail and/or against receipt.

The convocation notice shall contain the same elements as described under Article 114 §3, 3rd paragraph.

If the student wishes to exercise his/her right to call witnesses, the student shall provide a list of the witnesses he/she wishes to call at least two calendar days before the hearing. The student himself ensures that the witnesses he wishes are present at the hearing.

§3 —

In urgent cases, the head of training may immediately suspend the student preventively as a measure of order. In this case, he must immediately inform the disciplinary committee of the order measure he has imposed. In such a case, the disciplinary committee must immediately proceed to hear the student regarding this order measure.

§4 —

Minutes will be drawn up of the hearing before the disciplinary committee.

If the official report is not drawn up immediately, it will be prepared and sent to the student within 2 calendar days of the interrogation, with the request that the official report be signed and, if necessary, supplemented with comments, returned to the disciplinary committee within 2 calendar days. If the student does not return the official report signed within the stipulated period of 2 calendar days, it implies acceptance.

If the student, notwithstanding being duly summoned, fails to appear, a report of non-appearance shall be drawn up and the disciplinary authority shall rule by default.



The disciplinary committee shall take a decision on the imposition of the preventive suspension, or confirmation in case of a preventive suspension imposed by the head of training in case of urgency, within 7 calendar days from the receipt of the signed record of hearing or the expiry of the deadline to return the signed record, or from the preparation of the record of non-appearance.

The decision regarding the requested preventive suspension or the decision regarding the confirmation of the preventive suspension in case of urgency shall be communicated to the student by registered letter and/or against receipt. The decision or accompanying letter shall mention the internal appeal option.

§5 —

The preventive suspension may be pronounced for a maximum period of six months. If a criminal investigation or prosecution is ongoing for facts for which the disciplinary investigation was initiated, the disciplinary committee may extend the term for a period of up to six months each time while the investigation or prosecution is ongoing, provided the student is heard about it.

§6 —

In the event of an appeal by the student against the disciplinary sanction imposed, the preventive suspension may be extended until the appeal decision has been communicated to the student.

Art.117. — Internal appeal option

§1 — General

§1.1 —

Only the student has the possibility to appeal against the disciplinary sanction imposed by the disciplinary committee or decision to, or confirmation of, preventive suspension.

§1.2 —

The Disciplinary Appeals Committee consists of the following members:

- the managing director, sitting as chairman;
- the group director of an area of study other than that of the student concerned;
- the group director of an area of study other than that of the student concerned;
- a student representative from the Governing Body;
- the non-voting secretary (HR and finance department employee).

The deputy for the chairman is designated: director of research and services.

The Disciplinary Appeals Committee sits validly with at least 3 members, where a decision can be taken by a simple majority of votes. In the event of a tie, the chairman decides.

The Disciplinary Appeals Committee may be assisted by a secretary and counsel. Counsel may not be present during deliberations and votes

§2 — Appeal against a decision to impose a disciplinary sanction

§2.1 —

The student has the option of lodging an internal appeal against the decision imposing a disciplinary sanction.

Appeal against a decision imposing a disciplinary sanction has suspensive effect.

§2.2 —

The appeal period is 7 calendar days and takes effect the day after the disciplinary decision was presented at the address where the student is domiciled or the day the disciplinary decision was issued to the student against receipt.

The student addresses his reasoned appeal by registered letter and/or against receipt to the chairman of the Internal Disciplinary Appeals Committee at the address Doorniksesteenweg 145, 8500 KORTRIJK.

The notice of appeal, which must state the name, address and date of the decision being appealed against, must be reasoned under penalty of nullity. The notice of appeal must be signed by the student or his/her counsel.

The Disciplinary Appeals Committee shall summon the student by registered letter and/or against receipt to be heard and shall in any case state in the summons letter the place, day and hour of the hearing, as well as the student's right to be assisted by counsel. The student shall be summoned at least 8 calendar days in advance.

§2.3 —

The Disciplinary Appeals Committee shall also summon the chairman of the Disciplinary Committee to be heard by registered letter and/or against receipt, and shall in any case indicate in the summons letter the place, day and hour of the hearing. The chairman, the member of the disciplinary committee appointed by the chairman or the counsel appointed by the chairman shall also be heard by the disciplinary appeal committee.



§2.4 –

Minutes will be drawn up of the hearing.

If the report is not drawn up and signed immediately, it will be drawn up and sent to the student and the representative of the disciplinary committee within 4 calendar days of the interrogation, with the request that the report be signed and, if necessary, completed with comments, returned to the disciplinary appeals committee within 4 calendar days. If the student and/or the representative of the disciplinary committee does not return the official report signed within the stipulated period of 4 calendar days, it implies acceptance.

If the student and/or the representative of the disciplinary committee do not appear despite being duly summoned, a record of non-appearance shall be drawn up and the disciplinary appeal committee shall decide on discipline in absentia.

§2.5 –

After the Disciplinary Appeals Committee is in possession of the record of hearing signed by the student and the representative of the Disciplinary Committee or after the expiry of the period of 4 calendar days from the sending of the record of hearing, the Disciplinary Appeals Committee shall rule on the appeal filed by the student in a reasoned decision, within 30 calendar days.

The Internal Disciplinary Appeals Committee may decide either to reject the appeal as inadmissible or unfounded, or to declare the appeal well-founded and annul or reform the original decision. In case of reform, the Disciplinary Appeals Committee cannot impose a heavier penalty than the one imposed by the Disciplinary Committee.

§2.6 –

The student shall be notified of the appeal decision by registered letter and/or against receipt. A copy of the decision shall be transmitted to the chairperson of the disciplinary committee and the study area director.

§3 — Appeal against a decision or confirmation or extension of preventive suspension

§3.1 –

The student has the option of lodging an internal appeal against the decision to either confirm or extend the preventive suspension already imposed.

Appeal against a decision suspending the student preventively or confirming or extending the preventive suspension already imposed does not have a suspensive effect.

§3.2 –

The student has the option of lodging an internal appeal against the decision to either confirm or extend the preventive suspension already imposed.

Appeal against a decision suspending the student preventively or confirming or

extending the preventive suspension already imposed does not have a suspensive effect.

The appeal period is 7 calendar days and takes effect the day after the decision of preventive suspension, or confirmation or extension of the already imposed preventive suspension was presented at the address where the student is domiciled or the day on which this decision was delivered to the student against receipt.

The student addresses his reasoned appeal by registered letter and/or against receipt to the chairman of the Internal Disciplinary Appeals Committee at the address Doorniksesteenweg 145, 8500 KORTRIJK

The notice of appeal, which must state the name, address and date of the decision being appealed against, must be reasoned under penalty of nullity. The notice of appeal must be signed by the student or his/her counsel.

The Disciplinary Appeals Committee shall summon the student by registered letter and/or against receipt to be heard and shall in any case state in the summons letter the place, day and hour of the hearing, as well as the student's right to be assisted by counsel. The student shall be summoned at least 4 calendar days in advance.

§3.3 –

The Disciplinary Appeals Committee shall also summon the chairman of the Disciplinary Committee to be heard by registered letter and/or against receipt, and shall in any case indicate in the summons letter the place, day and hour of the hearing. The chairman, the member of the Disciplinary Committee designated by the chairman or the counsel appointed by the chairman shall also be heard by the Disciplinary Appeals Committee.

§3.4 –

Minutes will be drawn up of the hearing.

If the report is not drawn up and signed immediately, it will be drawn up and sent to the student and the representative of the disciplinary committee within 2 calendar days of the interrogation, with the request that the report be signed and, if necessary, completed with comments, returned to the disciplinary appeals committee within 2 calendar days. If the student and/or the representative of the disciplinary committee does not return the official report signed within the stipulated period of 2 calendar days, it implies acceptance.

If the student and/or the representative of the disciplinary committee, notwithstanding being duly summoned, fails to appear, a record of non-appearance shall be drawn up and the appeal committee shall decide by default.

§3.5 –

After the Disciplinary Appeals Committee is in possession of the record of hearing signed by the student and the representative of the Disciplinary Committee or after the expiry of the period of 2 calendar days after sending the record of hearing, the Disciplinary Appeals Committee shall rule on the appeal filed by the student in a reasoned decision, within 7 calendar days.



The Internal Disciplinary Appeals Committee may decide either to dismiss the appeal as inadmissible or unfounded, or to declare the appeal well-founded and annul the decision of preventive suspension, or the decision confirming or extending the preventive suspension.

§3.6 –

The student shall be notified of the appeal decision by registered letter and/or against receipt. A copy of the decision shall be transmitted to the chairperson of the disciplinary committee and the study area director.

4. DEFINITIONS

For the purposes of the education and examination regulations, unless explicitly provided otherwise in the further regulations, the following definitions shall apply:

1. **academic year:** a period of one year starting not earlier than 1 September and not later than 1 October and ending on the day before the start of the next academic year. This period is divided into two semesters;
2. **graduation:** a differentiation in a programme of study that differs from another differentiation in the programme by at least 30 credits;
3. **deviating pass criteria:** this modality is applied in exceptional cases to arrive at an assessment of an assessment activity. Different pass criteria may be applied in specific cases where a mere weighted average of the different evaluation items is not sufficient to adequately assess the learning outcomes. If applicable, these criteria are presented in the POC and the approach is clearly described in the ECTS sheet. Deviating pass criteria are only applied within one OLA and are not allowed across different teaching activities (because there the calculation is done automatically by a credit-based weighting);
4. **alternative courses:** distance learning courses, evening courses, bridge courses;
5. **Bachelor's thesis:** final thesis that completes an undergraduate programme;
6. **Assessment error:** We speak of an assessment error if there are elements that have affected the validity of the assessment, such as asking questions that did not belong to the subject matter, not respecting predefined assessment criteria, etc;
7. **deliberation:** the meeting of an examination committee that records the results of the examinations on the course units, that determines whether the student has passed the whole of a programme of study and records the final result for this purpose. A deliberation may also be held ad hoc when disputes arise regarding an examination result;
8. **proof of competence:** the evidence that a student, on the basis of prior experience or training in which no evaluation took place, has acquired the competences appropriate to the level of bachelor in higher professional or academic education, or the master level, or a well-defined programme of study, course unit or cluster of course units. This certificate is issued by a validating body and consists of a paper document or registration in a database;
9. **competence:** integrated knowledge, skills and attitudes that enable a person to deliver effective, quality performance focused on a particular job/role;

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- 10. contract type:** choice made by a student to complete the programme offer through a diploma contract, a credit contract or an examination contract with a view to obtaining a diploma or credit;
- 11. credit certificate:** the recognition of the fact that a student at VIVES or another institution of higher education has acquired the competences associated with a course unit on the basis of an examination. This recognition is recorded in a paper document or a registration in a database. The credits acquired, associated with the course unit concerned, are represented as "credits";
- 12. credit contract:** an entry contract entered into between the university of applied sciences and the student enrolling with a view to obtaining a credit certificate for one or more course units;
- 13. decree threshold:** all course units that a student includes in the individual study programme upon first enrolment in an initial Bachelor's programme
- 14. deliberation mark:** a result obtained after the examination for a programme component for which a student does not obtain a credit certificate, but for which an examination committee decides that this programme component does not have to be retaken
- 15. diploma:** the document issued at the end of a bachelor's programme to a student who has passed the programme as a whole, which includes the main identification details of the student and the programme;
- 16. diploma contract:** an entry contract, entered into between the university of applied sciences and the student enrolling for the purpose of obtaining a diploma or certificate from a programme of study;
- 17. diploma supplement:** the document drawn up in accordance with European standards in which the special characteristics of the programme of study and of the study results not mentioned in the diploma are mentioned. In particular, this document contains credit certificates for the successful student;
- 18. evaluation activity EVA:** assessment of a teaching-learning activity;
- 19. assessment component EVO:** refers to the form of assessment used to assess part of an educational activity or course unit. For example, an assessment may consist of an assignment and a written examination or two separate assignments;
- 20. EVC:** a "previously acquired competence", being the set of knowledge, understanding, skills and attitudes acquired through learning processes that were not validated with a study certificate;
- 21. ECA:** a "previously acquired qualification", being any domestic or foreign study certificate indicating that a formal learning pathway, whether within regular education or not, has been successfully completed, with the exception of credit certificates obtained within a programme of the university of applied sciences for which the qualification is invoked;
- 22. examination:** an assessment situation in which it is checked whether the student has

acquired partial competences related to a course unit by virtue of his studies. An examination may take place at a single moment in time, but may also take the form of a series of activities spread over time, such as an internship or forms of continuous assessment;

- 23. examination contract:** an entry contract, entered into between the university of applied sciences and the student who registers to participate in an examination for the purpose of:

- a diploma or certificate of training;

OR

- a credit certificate for one or more course units;

- 24. examination opportunity:** a student is entitled to two examination opportunities in the academic year for each course unit for which he is enrolled.

If the nature of the course unit does not allow examination twice, the right referred to in the first paragraph cannot be exercised during the same academic year. In that case, the student must re-enrol for the course unit in question in a subsequent academic year;

- 25. examination period:** a period specifically reserved for the organisation of examinations;

- 26. 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 in Flemish higher education. The status of generation student applies to that entire academic year;

- 27. individualised study pathway:** a programme that differs from a model pathway and which may be granted to a student

upon his justified request. The appropriateness of completing an individualised pathway is carefully assessed on the basis of the student's file;

- 28. degree of merit:** special mention given at the end of an academic year and of an undergraduate programme;

- 29. identical course units:** it is possible that within the college, two or more course units are considered identical, e.g.

- the content, teacher, campus are identical, but the semester differs;
- the content (and sometimes the teacher) are identical, but the campus differs;
- the content is not identical, but the learning outcomes are similar. This group also includes language equivalents of course units;
- a programme component changes the number of credits but remains (more or less) identical in terms of content after a programme change. Such course units often have the same name but a different ECTS code. They are treated as identical course units in the ISP (individual study programme) or in examination processing;

- 30. individual annual programme:** the set of course units that an individual student takes up in one academic year, including the course units for which he subsequently requests an exemption;

- 31. individual overview report:** the electronic document that provides an overview of the status of the individual student's study progress at any time during the study;

- 32. ISP:** Individual Programme of Study, the sum of the annual

programmes taken up by an individual student for the purpose of acquiring a degree or certificate or for the purpose of acquiring one or more credit certificates;

- 33. learning credit:** credit granted by the Flemish Community to a student, expressed in credits, to complete one or more programmes or course units;
- 34. model route:** a route that consists of a programme of study drawn up for a programme of study, which clarifies how a student can obtain the diploma attached to the programme of study within a predetermined duration. The model route is divided into a number of training stages, the size of which is expressed in credits. A model route is structured as full-time or as "otherwise divided". A programme may offer several model pathways. A model route also includes any variant of it for which a student does not need to apply for admission as long as he follows the rules described in the education and examination regulations. A full-time route consists per academic year of an annual programme of at least 54 credits including exemptions and already acquired credit certificates and at most 66 credits;
- 35. educational activity:** further division of a programme component in terms of a specific coherent set of teaching and learning activities, and with a number of associated credits;
- 36. course or programme:** the structuring unit of the educational offering. It is awarded a diploma or certificate on successful completion;
- 37. programme stage:** coherent
- part of a programme of study, aimed at structuring the study pathway and monitoring study progress;
- 38. programme component:** a defined set of educational, learning and examination activities aimed at the acquisition of well-defined competences in terms of knowledge, insight, skills and attitudes. A course unit comprises at least three whole credits and leads to one separate assessment mark;
- 39. POC:** Permanent Education Committee, the committee constituted for the purpose of developing and monitoring one or more training programmes;
- 40. continuing education:** educational programmes of usually limited scope to specialise or update scientific knowledge or broaden or deepen competences;
- 41. postgraduate programme:** programme of continuing education offering a consistent set of minimum 20 credits;
- 42. programme director:** the chairman of a standing education committee;
- 43. programme guide:** a description of the main elements of the programme components of a programme of study (the ECTS - European Credit Transfer System - sheet: competences, objectives, curriculum and teaching methods, study and processing time, evaluation modalities and study materials). Furthermore, the programme guide contains the specific programme information formulating the necessary additions to the education and examination regulations of the university college;

44. written notification: unequivocal communication of a petition, intention or decision in a manner other than oral by letter, by e-mail, ...;

45. starter: A student is considered a starter when he is enrolled with a diploma contract or a diploma examination contract and has not yet obtained 60 credits in the programme concerned (credits, exemptions and deployed tolerances added together);

46. starter test: an institution-neutral test that students must take as a condition for first enrolment in certain Bachelor's programmes

47. proof of studies: diploma or certificate indicating that a student has acquired certain competences through a course unit on which an examination has been taken;

48. study efficiency: the ratio between the number of credits passed and the number of credits actually taken in an academic year, expressed as a percentage;

49. tuition fee: the amount to be paid by the student for participation in educational activities and/or examinations;

50. credit load: the number of credits allocated to a programme, a programme component or a part of a programme component;

51. study programme: the set of course units that an individual student takes up with a view to obtaining a diploma or certificate or with a view to obtaining one or more credit certificates;

52. credit: an international unit

accepted within the Flemish Community corresponding to a minimum of 25 and a maximum of 30 hours of prescribed teaching, learning and examination activities and expressing the study load of each programme of study or course unit. Only whole credits are awarded;

- Recorded credits are those for which one registers including those for which one obtains exemption;
- Actual credits taken are those for which one writes in and has yet to effectively take an exam;
- acquired credits are the credits for which a credit certificate has been acquired;

53. study time: the total time investment that can be expected from a student with regard to an individual programme component or with regard to a programme of study as a whole. The calculation is done on the basis of the so-called 'norm student'. The norm student is the student who has exactly the prior knowledge, aptitude, motivation and study behaviour of the target group targeted by a programme of study.

Study time consists of two components. The first component is the number of hours of attendance expected of each student in principle, called 'contact hours' and the number of hours of evaluation. The second component is the 'processing time'. This is the time that that norm student has to invest in preparing for a lecture or practical, carrying out assignments, any internship, preparing for the exam, etc.

This expected or budgeted study time is only an indication of the actual study time spent, as it depends on characteristics of the individual student;

- 54. Study route:** A study route defines for a diploma contract or an examination contract with a view to obtaining a diploma or certificate the essential elements for following a training programme, including in any case the course units, the study load, the examination and deliberation rules and the study progress monitoring. A study route takes the form of a model route or an individualised route;
- 55. holder of a course unit:** the staff member who has been officially appointed by the university college as the assignment holder for a course unit;
- 56. admission committee:** a central committee established for the purpose of
- evaluating whether a student who does not have a secondary school diploma can still be admitted to an undergraduate programme;
- OR**
- evaluating whether a student who does not have a secondary school diploma can still be admitted to take certain course units;
- 57. Accession agreement:** the agreement between the university of applied sciences and the student that defines the rights and obligations of both parties. The agreement is concluded by the student's enrolment 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 entry agreement;
- 58. tolerance:** arrangement in examination regulations of a higher education institution whereby the student does not acquire any credits but does not have to retake the course for a limited number of credits, and whereby the student decides for which courses to use this;
- 59. Validating body:** synonym for an association for the purpose of issuing a certificate of competence;
- 60. continuity:** the requirement of having taken one course unit or one programme of study before a student can take another course unit and pass an examination for it. In case of risk or safety problems, the institution's management may also determine that a student must have passed a course unit or a programme of study before he can take another course unit and sit an examination for it.
- 61. exemption:** the removal of the obligation to take an examination for a course unit or part thereof, on the grounds of a credit certificate, another study certificate or a certificate of aptitude. For this course unit or part thereof, no examination mark shall be taken into account in judging the successful completion of a programme of study nor for awarding a degree of merit, except in those circumstances as stipulated in Exemptions, taking over examination marks and credit certificates.

