

Education and Examination Regulations 2020-2021

Centres of Continuing Education of Odisee

(Odisee Advanced Education, EMS and FHS)

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PREFACE

Scope of these regulations

This specific Education and Examination Regulations apply to students and study programmes (postgraduate programmes and other courses) of all Centres of Continuing Education of Odisee (Odisee Advanced Education, EMS and FHS). The study programmes and ECTS course descriptions can be found on the website of the Centre of Continuing Education concerned.

As a result of the safety measures regarding the COVID 19 pandemic, a mix of on-campus and online education and evaluation will be used. The centers for continuing education of Odisee thus offer contact-rich education in safe conditions.

Where possible and meaningful, the services are offered digitally, e.g. online appointments or via the e-mail address of (the employees of) the Centre of Continuing Education. The centers ensure that groups or gatherings are avoided as much as possible, in order to respect the safety measures and prevent contamination. For the same reason, the use of paper documents is avoided as much as possible. Documents can be submitted digitally via the center's email address. Digital solutions can be accepted everywhere in these regulations where a signature on a document is required.

These Education and Examination Regulations are subordinate to the decree provisions on higher education and their related implementing provisions. The most important of these texts can be consulted on <http://www.ond.vlaanderen.be>.

These regulations are communicated clearly to the students or participants who register for the programmes of continuing education.

The Education and Examination Regulations are annually approved by the Academic Council before the start of the new academic year.

Odisee's management committee is authorized to decide during the academic year on all necessary deviations and / or changes to these regulations as a result of (unforeseen) outbreaks of a pandemic and / or changed measures by the government.

All other deviations to these Education and Examination Regulations, due to force majeure or unforeseen circumstances and technical errors, can only be authorized by the Academic Council, upon a reasoned request of the Centre of Continuing Education and after consultation with the Education and Examination Regulations Steering Group. The Academic Council ensures that the decision is communicated to all students involved.

Other regulations

The disciplinary regulations are annexed to this Education and Examination Regulations as separate regulations. All regulations to which is referred in these Education and Examination Regulations are a part of it.

Rounding rules

Unless stated otherwise in these regulations, for all calculations the normal rounding rules apply: rounding down up until 0.5 and rounding up from 0.5 onwards (0.5 inclusive).

TITLE 1: EDUCATION REGULATIONS

Section 1. Admission

Article 1. Admission requirements: general

In order to be admitted to a study programme or continuing education course at Odisee, students should meet the requirements determined by decree as well as the below mentioned degree and language requirements. These conditions must be met at the start of the course.

Admission to registration can be made dependent on a suitability test.

Article 2. Degree requirements

§1. In order to be admitted to a postgraduate programme, the candidate student should have obtained: a bachelor's or master's degree or equivalent diploma/study certificate. Additional entry requirements can be found in the information pages of the specific programme.

Students who do not meet these degree requirements can be admitted to the programme and can take the exams, but they will, if they succeed, obtain a certificate of continuing education.

§2. The admission requirements for other programmes of continuing education are determined by the organizer and are communicated through the website of the Centre of Continuing education.

Article 3: Language conditions

No special language conditions apply for students who obtained a Dutch diploma/degree granted by the Flemish Community or issued in the Netherlands.

Candidate students who obtained a diploma/degree outside of the Flemish community are admitted to a programme in which the language of instruction is Dutch if they meet at least one of the following conditions:

- a) to provide proof that they successfully completed at least one year of study in secondary or higher education, or obtained a total of at least 54 credits in higher education, in Dutch;
- b) to have passed a Dutch examination which, according to the 'Nederlandse Taalunie' is of a sufficiently high level to allow access to higher education. The institution may require a higher level for some specific programmes;
- c) to have passed the 'Interuniversitaire Taaltest Nederlands voor anderstaligen' (ITNA) organised by an authorised language institute;
- d) to submit a certificate that demonstrates that the candidate student has obtained at least a level of B2 proficiency in Dutch, in accordance with the Common European Framework of Reference for Languages.

Procedure

The following certificates are accepted cfr. point b) and d):

- "Educatief Startbekwaam" (STRT) of the "Centrum Nederlands als Vreemde Taal" ('Nederlandse Taalunie' exam)
- "Richtgraad 3" of an acknowledged adult education centre (CVO or 'Centrum voor Volwassenenonderwijs')

All proofs of language proficiency as mentioned in point b) up to and including d) are valid for five years.

Section 2. Enrolment

Article 4. To enroll is making an agreement

By enrolling at Odisee, an agreement is made with rights and duties for both parties. The agreement can be dissolved by Odisee at the latest on 30 November if a student does not meet the necessary requirements. Even after that date the registration is considered non-existent in case of fraud of admission documents, regardless of the moment on which the fraud is determined.

Article 5. Duration of the enrolment

Unless specific provisions for a specific study programme or contract apply, a student's enrolment applies for one academic year.

Article 6. Tuition fee

§1. Payment of the tuition fee gives students who are registered in a postgraduate programme or other continuing education courses the right to participate in course modules and examinations.

§2. Registered students are covered by a third-party liability insurance policy and collective accident insurance policy for educational activities of Odisee, after mediation of the healthcare fund or health insurance.

In the event of a claim or for more information, the student should contact the office of the Centre of Continuing education.

Article 7. Tuition fees for postgraduate courses and other continuing education courses

For postgraduate programmes and for other programmes of continuing education that lead to a certificate of qualification or to a certificate of participation, the tuition fee is determined per programme. The rates can be found on the website of the relevant Centre of Continuing education.

Article 8. Charging extra study costs

Specific and limited costs for the use of goods and the organization of specific events can be passed on to students to the extent that they are directly related to the organisation of the programme. If this is the case, specific additional information will be provided by the Centre of Continuing education before the start of the academic year.

Article 9. Non-payment of the tuition fee

Anyone who does not pay the tuition fee before the due date, even after receiving a warning notice, is suspended as a student, has no right to education and cannot participate in the exams. This suspension is only nullified one day after the registration of the payment of the amount due for the already completed period.

Section 3. Exemptions

Article 10. Exemption

An exemption is the removal - on the basis of a credit certificate, study certificate or certificate of competence - of the obligation to take an exam on (part of) a course.

The Centre of Continuing education bases the exemption on an evaluation of equivalence, possibly after consultation with the lecturers involved. The Centres of Continuing education may decide that exemptions are not granted for certain courses.

For an exemption, only forms of competences, knowledge, insight, skills and attitudes that at least meet the following criteria can be acknowledged:

- authentic: they represent the performance of the candidate;
- up-to-date: they reflect the current competence level of the candidate;
- relevant: they are sufficiently covering relevant elements of the programme.

The size of the exemption for a course is equated with the number of credits of the course which one is exempted from. The size is expressed as integer credits.

In case of granted exemption the obtained examination result for the equivalent course is no longer taken into account. In deviation of this, previously obtained examination results are adopted in the case of identical courses.

A granted exemption is definitive. Students cannot reconsider a requested and granted exemption.

Procedure

Exemptions should be requested upon the first registration for a programme. A request for exemption upon re-registration for the same programme is only possible if there are new elements.

Students who believe they are entitled to an exemption for a course or a part thereof based on a credit certificate or another proof of study must submit their application to the Centre of Continuing education. This by means of a completed application form directly to the Centre of Continuing education. They also need to enclose a supporting file which includes the previously obtained credit certificates or other proofs of study.

Exemptions should be requested at the latest within three weeks after the start of the programme. After this date the student can no longer invoke previously obtained credit certificates, other study certificates and certificates of ability to request an exemption.

TITLE 2: EXAMINATION REGULATIONS

Section 1. General provisions

Article 11. Examinations: general provisions

All exams are organised in such a way, according to the following rules, that students have the chance to prove the competences required for the course. This requires a constant care of the examiner and all qualified bodies to guarantee an optimally organised exam for each course.

Exams can also be organized online and remotely.

Section 2. Organisation of examinations

Article 12. Examination periods

An examination period is a period in the academic year specifically intended to organize exams. Three examination periods can be organized in the academic year.

Article 13. Examination schedule and changing dates of examinations

The examination schedule is set for each individual student at the latest three weeks before the start of the exam period. The examination schedule for the third exam period is determined for each individual student at the latest two weeks before the start of the exam period.

The examination schedule for the dissertation/paper defence will be announced at the latest one calendar week before the examination takes place. The classrooms are announced to the students at least three days before the start of the exams via the appropriate communication channels.

Examiners and students shall strictly abide by the examination schedule that is set. Examinations can only be moved by the ombudsperson, in accordance with Article 17, only for serious reasons reported in a timely manner.

Procedure

Students who feel they are entitled to move an examination because of serious reasons need to notify the ombudsperson as soon as possible. Only if the ombudsperson agrees that special circumstances should be taken into account, a new examination time will be organized for the examination opportunity concerned, if possible. If the examination is again not taken on the scheduled moment without the ombudsperson once more taking into account special circumstances, this examination opportunity will expire.

In the event of exceptional circumstances, a deviation from the examination form described in the ECTS file may be necessary.

Section 3. Taking part in the examinations

Article 14. Conditions to take part in the examinations

§1. Tuition fee paid

Students can only participate in an exam if the owed tuition fee is paid. If this condition is not met, the registration shall be suspended. As long as the suspension is not withdrawn the student will not be granted access to the digital learning platform and will not be allowed to participate in the examination. In case the student has already obtained results, these will be regarded as non-existent.

§2. Duties per course

Participation in an exam can be subject to conditions such as an attendance requirement with regards to the practical components, sufficient participation in group obligations or timely

submission of assignments. For the courses for which this is the case, these conditions, as well as the consequences for the exam evaluation if students do not meet these requirements, will be clearly mentioned in the ECTS course description. The programme department stipulates in the ECTS course description whether students who do not meet the conditions will be given a zero score or a "fail" for the (part of) the course involved.

§3. Verification of identity and examination participation

Students must be able to prove their identity at the examination. Any student can, upon request, receive official proof of participation in the examination.

Article 15. Non-participation in (an) examination(s)

A student who decides not to participate in an examination that has been scheduled for him should immediately report this to the ombudsperson. The ombudsperson then informs the examiners concerned and the department that is in charge of administration.

Section 4. Ombudsperson

Article 16. Duties, appointment and availability

The ombudsperson is a confidant who mediates between examiners and students. Therefore he must be able to fully independently perform his duty as intermediary.

For each programme an ombudsperson with relevant experience is appointed by the Centre of Continuing education, as well as a substitute ombudsperson who assumes this title for all examinations of that academic year.

The ombudsperson clearly notifies students of where and when he can be reached and at what times the substitute ombudsperson replaces the effective ombudsperson.

Article 17. Powers and disputes

If necessary, the ombudsperson mediates on the date, location, form and conditions of an examination. The ombudsperson judges sovereignly on examination movements and on the assignment of an examination moment. The rescheduled exams are always organized within the same examination period, if possible.

In order to be able to adequately perform the role of mediator, the ombudsperson is entitled to access information regarding each examination, even prior to the deliberation of the examination committee. The ombudsperson is bound by professional secrecy.

The ombudsperson participates in an advisory capacity in the meeting of the examination committee for which he is appointed.

Article 18. Conflict of interest

Under no circumstances will the ombudsperson be allowed to assess students for whom he is acting as ombudsperson. If in exceptional circumstances the ombudsperson has participated in the assessment of a student for a course, the substitute ombudsperson will mediate for this student in this case.

Section 5. Running of the examinations

Article 19. Examiner

The task of the examiner is to work out whether students have obtained the learning outcomes of a certain course.

The examiner is responsible for the final award of the exam result of (part of) a course of the academic year and group concerned. When these regulations refer to the examiner, this means the examiner or his substitute(s). An exam result is established by assessment activities that are performed by the examiner and possibly co-examiners.

In the case of blood or family ties up to and including the fourth degree between a student and an examiner or in case of force majeure on the part of the examiner, the examiner requests the Director of the Exam committee to appoint a substitute.

Examinations on educational activities other than lectures may be conducted by examiners other than the course lecturer, provided they were also responsible for the content of said educational activity.

Examinations on courses taught by guest lecturers can be examined by another examiner appointed by the Centre of Continuing education if these guest lecturers are absent.

Article 20. Information prior to examinations and deadline for the submission of assignments

§1. Information prior to examinations

For each course, the ECTS course description provides detailed information about the content and objectives, the examination subjects and the assessment, including the weighting of any components for which a partial mark is awarded and including the consequences of nonparticipation in a part of the examination. If, exceptionally, the examination subject or assessment methods should vary from one examination period to another, this will be mentioned in the ECTS course description.

The management committee can decide that the exam format, as determined in the ECTS sheet, must be changed due to changing measures by the government and / or unforeseen rebounds from the COVID 19 pandemic. In that case, the amended evaluation forms and modalities will be communicated to all students per exam opportunity within a reasonable period of time before the exam moment. For postgraduate students who have an Odisee account, this is done via Toledo, for the other students via a personal email message.

§1. Deadline for the submission of assignments

If a particular deadline has been set for the submission of an assignment and a student anticipates not being able to comply with it for valid reasons, he should, before the deadline, contact the course lecturer, who may then decide to set a new deadline. The course lecturer may include in the ECTS course description that should the deadline for submission not be respected the assignment is considered as not-submitted, with the student being awarded a zero mark for the assignment or it being deemed 'not taken'. If such a penalty is provided, then it is also applicable if a new deadline is not respected.

Article 21. Non-compliance with contractual obligations regarding internship, workplace learning, ...

If a student repeatedly or seriously ignores the obligations enforced by an internship agreement, an workplace learning agreement or another agreement with the Centre of Continuing education and/or third parties, the agreement can be terminated.

In this case the student is not entitled to an alternative assignment and (part of) the courses concerned are deemed as “not taken”.

Article 22. Examination form and duration

The form of an examination is determined in accordance with the objectives / competences of the course and the teaching method. The examination format is established by the Centre of Continuing education, on the recommendation of the course lecturer.

In the case of an individual movement of an exam, the examination format may deviate from the established format.

In case of a (partial) oral examination of a continuing education programme a written preparation time is not obligatory.

Unless explicitly announced otherwise to the students, all exams are taken without the use of any external resources.

An exam consisting of an evaluation at one specific moment can take no longer than half a day (ca. three hours **inclusive time included**).

Article 23. Assessment

Students are awarded only one final mark by the examiner for each course within a study programme.

For each course the final mark is expressed in an integer ranging from 0 to 20/20, except for the courses for which is mentioned in the ECTS course description that the evaluation is done in terms of a pass/fail decision. An assessment in the form of a fail mark is equal to an intolerable fail.

Marks of partial examinations are converted into one final mark out of twenty, before the deliberation of the examination committee.

Article 24. Non-participation in an assessment activity

If a student does not participate in an assessment activity, the exam is evaluated as 'not taken' (NA). In these regulations, NA is considered equivalent to an intolerable fail mark, as stipulated in *Article 34. Criteria for succeeding in a study programme*.

If there are partial examinations or evaluations for one course and the student does not participate in one of these evaluations, then the general principle is that the student receives NA for the whole course, unless stated otherwise in the ECTS course description.

Section 6. The examination committees and their authority

Article 25. Composition of the examination committee

For each study programme an examination committee of the programme is set up, consisting of the following members: a chairman, a secretary and at least two examiners designated by the director/head of the Centre of Continuing education.

The examination committee consists of at least 4 members, including the chairman and secretary. The director/head of the Centre of Continuing education acts as the chairman and can also act as secretary.

In case of force majeure on part of a member of the examination committee, the director/head of the Centre of Continuing education can appoint a substitute.

Article 26. Competences of the examination committee of the study programme

The examination committee settles possible disputes after each examination period. It takes decisions on exam fraud files, in accordance with *Article 39. Sanctions*.

If the examination committee decides that the mark proposed by the examiner for an individual student or for a group of students is clearly unreasonable, the examination committee can exceptionally adjust the proposal of the examiner. This decision is thoroughly motivated.

After each examination period, the examination committee takes decisions on the files of individual students in the context of special individual circumstances or force majeure. The task of the examination committee is to verify whether an individual student has obtained the learning outcomes related to the programme or courses and therefore masters the competences necessary for a successful completion. The examination committee can in such cases decide to consider one or more intolerable fails to be tolerable and to settle these as such within the 10% tolerance credit as defined under *Article 44. Criteria for succeeding in a programme of study*. Furthermore it can decide to deviate from the 10% rule. It can also decide to award a level of achievement to a student who does not meet the criteria as defined in *Article 35. Obtaining a diploma or a level of achievement*. The decision of the examination committee is carefully justified.

The director of the Centre of Continuing education and the ombudsperson are responsible for the inventory and investigation of any apparently unreasonable point profiles, irregularities and fraud, and the files concerning special individual circumstances.

The examination committee finally decides that all results registered within the relevant examination period are officially announced to the students on the date set by the Centre of Continuing education.

Section 7. Deliberation

Article 27. Attendance

The members of the examination committee participate in the deliberation and sign the list of attendance. The chairman may proceed to inform the members of the examination committee in writing of the exam results of each student for the relevant deliberation period and to discuss these during a video or teleconference.

The examination committee makes a valid decision if at least 50% of the members (or their substitute) is present.

If certain students should be available for the examination committee during the deliberation, then they will be notified in advance on the initiative of the Centre of Continuing education.

Article 28. Secrecy

The members of the examination committee and any other persons that attend the meeting are bound to secrecy regarding the deliberation proceedings and voting.

Article 29. Voting right

All members of the examination committee have a decisive vote. The ombudsperson takes part in the deliberation with an advisory vote.

Members of the examination committee do not participate in the deliberation of decisions concerning relatives up to and including the fourth degree.

Members of the examination committee about whom it is suggested that a mark awarded by the latter to an individual student or a group of students is unreasonable, do not take part in the deliberation of this student or this group of students.

Article 30. Right and duty to appeal

Each examiner that is not a member of the examination committee can be heard at his request by the director of the Centre of Continuing education and the examination committee. The same applies to each student about whom a decision will be made by the examination committee.

In cases of exam fraud, the director of the Centre of Continuing education must hear the examiner of the course in which the exam fraud was determined before the examination committee can make a decision. The director of the Centre of continuing education must also hear the student concerned in the presence of an ombudsperson.

If the director of the Centre of Continuing education and the ombudsperson decide that the suggested mark for an individual student or group of students given by the examiner is clearly unreasonable, they must first hear the examiner before the examination committee can make a decision.

The examination committee can always decide on its own initiative to hear an examiner who is not a member of the examination committee about its decision proposal.

In all the cases mentioned above and elsewhere in these Education and Examination Regulations, the right to be heard and the obligation to hear may be exercised and organized both in person and online / remotely.

Article 31. Decision-making and voting rules of the examination committee

The examination committee acts as a college. The decision about a student is established by the examination committee by a simple majority of the votes (i.e. more than 50% of the present members).

At the suggestion of the chairperson or, when a member of the committee or the ombudsperson requests it, a secret vote will be organized on a decision. During voting, invalid votes and

abstentions are not counted. In case of a tie, the examination committee will decide on the proposal that is most favourable to the student.

Article 32. Criteria for passing a course

Students pass a course following the official announcement of the results if they are awarded at least 10 out of 20 points or a 'pass' assessment.

Article 33. Establishment of the percentage obtained for a whole programme

In order to establish the percentage obtained for a whole programme of study, a weighting should be applied to the results for each course, in accordance with the number of credits involved, in the academic year the student obtained the examination result.

The courses that are only assessed by means of the 'pass/fail' system are excluded from the calculation of the percentage.

Article 34. Criteria for succeeding in a programme of study

Following the official announcement of their results students automatically succeed in a programme if:

- they obtain at least 50% as a weighted percentage for the programme as a whole;
- they do not obtain intolerable fail marks and a maximum of 10% tolerable fail marks. Tolerable fail marks are assessments of 8 or 9 out of 20. All other fail marks are intolerable.

Notwithstanding the provision mentioned above, the Centre of Continuing education can decide that:

- only a limited amount of tolerable fail marks, expressed in credits, may appear in a certain group of courses. In this case this must be mentioned in the ECTS course description of the relevant course.

and/or

- for certain courses a fail mark is not tolerable and thus always leads to a fail. These so-called intolerable courses are mentioned in the ECTS course description.

Article 35. Obtaining a diploma and a level of achievement

Students who have successfully completed a programme are awarded the certificate of qualification of the programme of study.

Students who are awarded the postgraduate certificate will be awarded the following levels of achievement, after the official announcement of the results:

- passed (cum fructu), if less than 68% of the weighted examination marks have been obtained;
- distinction (cum laude), on condition that at least 68% of the weighted examination marks have been obtained;
- great distinction (magna cum laude), on condition that at least 77% of the weighted examination marks have been obtained;

- greatest distinction (summa cum laude), on condition that at least 85% of the weighted examination marks have been obtained;
- greatest distinction (summa cum laude) and the congratulations of the examination committee, on condition that their weighted examination grade is at least 90%.

The calculation covers the entire programme.

Article 36. Deliberation report

The deliberation report is drawn up and signed by the chairman and the secretary of the examination committee. It includes the attendance list and, for each student, the decision as stipulated in Articles 26, 32, 34 and 35 and possibly the compliance of the procedure regulations of Articles 27 up to and including Article 31. The report contains the examination marks or refers to the examination marks that are attached to the report or comprised in a secured electronic file and on which the examination committee has decided to announce.

Section 8. Exam fraud

Article 37. Definitions

Examination fraud involves any conduct on the part of a student during an examination in an attempt to make it completely or partially impossible to arrive at an accurate assessment of his own knowledge and skills or of those of other students.

Plagiarism is a form of examination fraud that consists of the action of copying the work (ideas, texts, structures, images, plans, etc.) of someone else without adequate acknowledgement, in an identical form or in slightly changed form. For the application of these regulations the copying of one's own work without adequate acknowledgement is considered exam fraud.

For the actual determination of examination fraud, it is irrelevant whether:

- the irregularity is the result of a conscious choice by the student,
- the irregularity has or has not given rise to an unjustified advantage, and
- the students involved decided whether or not to stop the behaviour that is considered an irregularity.

Simply carrying documents or objects which are not allowed, like a mobile phone, smart phone, smart watch, multimedia or other information carriers can be considered as examination fraud.

Article 38. Procedures

The examiner should notify the director of the Centre of Continuing education and the ombudsperson as soon as possible of any irregularity that has occurred in an assessment or examination and which may influence the final decision of the examination committee.

Pending the verdict of the examination committee, the student in question may continue his assessment and examination session. This includes the examination concerned, be it, in case of the latter, after the confiscation of any incriminating evidence and the part of the examination already completed. The director of the Centre of Continuing education hears the student, in the presence of an ombudsperson, prior to any decision regarding the committed examination fraud.

Notwithstanding *Article 30. Right and duty to appeal*, it is stated that in case of an infringement that can be considered as plagiarism, the director of the Centre of Continuing education together with the ombudsperson will investigate if plagiarism has been committed, possibly in consultation with an expert assigned by the Centre of Continuing education. They will also investigate the gravity of the infringement.

Article 39. Sanctions

On the grounds of irregular conduct (cheating) at an examination, the examination committee may decide during the deliberation proceedings that the student:

1. has not taken the exam in a valid way, and therefore needs to retake it at a time specified by the Centre of Continuing education;
2. will be awarded an adjusted mark for the examination or assignment;
3. will be awarded a zero mark for the examination or assignment of the course or a part of it;
4. will be awarded a zero mark for some or for all of the examinations in the examination period concerned.

Section 9. Announcement and discussion of the examination results

Article 40. Announcement of the examination results

The Centre of Continuing education determines the way and the time when the examination results for all courses are communicated after every examination period. When announcing the examination results, a reference is also made to the appeal procedure mentioned in Article 53. of these examination regulations.

Article 41. Discussion of the examination results and right to feedback

A student has the right to receive feedback on his examination. He contacts the course coordinator/ the ombudsperson or the director of the Centre of Continuing education within five calendar days after the announcement of the examination results. The student can view the exam paper(s) at the office of the Centre of Continuing education.

Article 42. Retention of the examination copies

The Centres of Continuing education are responsible for retaining the copies of all written examinations until at least three months after the deliberation of the last examination period of the academic year.

For examinations for which the student lodges a formal complaint the internal appeal body retains the copies for five years.

Section 10. Retaking examinations on courses

Article 43. Retaking (examinations on) courses within an academic year

§1. General principle

Per academic year, students can take an exam on (part of) a course twice, and no more than twice. An exam not-taken or not-retaken is considered a taken examination opportunity. The study programme state the courses (or parts of the courses) for which students, on the basis of the nature of the course, can only take one exam per year.

§2. Retaking examinations on failed courses within an academic year

After the meeting of the examination committee and announcement of the examination results, the student decides which unsuccessful courses he wishes to retake via the provided procedure. The student can retake courses for which he did not apply a tolerance or for which he obtained a non-tolerable fail mark and for which an examination opportunity is organised. The students cannot retake courses which he already tolerated.

If a student retakes a fail mark in the same academic year, the first result for the course is maintained if this is higher than the result obtained for the course in the next examination period.

§3. Retaking examinations on passed courses within an academic year does not apply for postgraduate programmes or other programmes of continuing education.

§4. Note that the second examination opportunity may involve a different type of assessment than the first.

§5. Transfer of partial results in case there is no additional examination opportunity

If an additional examination opportunity is not organised for part of a course, the examination result of the first chance will be transferred to the second chance.

Article 44. Tolerance

§1. General principle

Tolerances can only be applied on courses in a postgraduate programme of at least 20 credits.

The applied tolerances, expressed in credits, amount to no more than 10% of the total number of credits required to complete the postgraduate programme, after deduction of exemptions.

§2. Automatically applied tolerances

For students in the final phase of their postgraduate programme, who are thus able to obtain a certificate of qualification, tolerances are automatically applied if this implies that students automatically pass the programme.

A student who disagrees with the decision to automatically apply tolerances, communicates this at the latest 5 calendar days after the announcement of the examination result to the office of the Centre of Continuing education.

Section 11 Settlement of disputes

Article 45. Disputes prior to or during an examination

Any irregular conduct or conflicts arising between a student and an examiner prior to or during examinations, which jeopardises the smooth course of the evaluation should be communicated by either party as soon as possible to the director of the Centre of Continuing education via the ombudsperson. The director of the Centre of Continuing education mediates and will take, if necessary, possibly after consultation with the ombudsperson, measures in order to ensure the correct course of the examination.

Article 46. Technical (material) errors

If a technical error is detected after the official announcement of the results, this is formally reported to the director of the Centre of Continuing education.

The examination committee rectifies the technical errors that imply that a student who previously was declared to have passed a programme, is nonetheless declared to have failed. The director of the Centre of Continuing education rectifies other technical errors. For this purpose they draw up a report. The results can still be changed within the terms mentioned in *Article 54. Procedure regarding administrative and material (technical) errors.*

If examination results have already been communicated to the student, the Centre of Continuing education will provide the student with a corrected examination result.

TITLE 3: GENERAL REGULATIONS

Section 1 Rights and duties, legal protection and disciplinary regulations

Article 47. Equal treatment

Odisee students are entitled to equal treatment.

Education or examination facilities should be requested according to the procedures stated in the Education and Examination Regulations.

Students with a disability are entitled to reasonable adjustments. They report preferably at the start of the programme and at the latest three weeks before the start of the requested adjustment at the office of the Centre of Continuing education. The office arranges the reasonable adjustment in consultation with the study programme and informs the student and the teachers.

Article 48. Right to access and to copies (open government)

Any student can ask to consult or obtain a copy of documents containing decisions about him or documents on which a decision about him or her is based. He does not have the right to view data relating to other people; these data will be made unrecognizable.

The request for inspection or a copy can be submitted until the end of the current academic year. The application will be dealt with within a reasonable period of time. No costs will be charged.

If a student wishes to have access to a copy of an examination he has taken, the Centre of Continuing education expects that he will first take part in the follow-up discussion of this examination. Afterwards, he can submit a request at the office of the Centre of Continuing education. The student must treat the copy obtained personally and confidentially and may only use it in function of his own educational career.

The same application rules apply to deliberation reports.

For all other documents, the student can submit the request to the director/head of the Centre of Continuing education.

Article 49. Specific rights and duties

§1. Students are entitled to:

- a) use of the library in accordance with the library regulations;
- b) use of the ICT-services and computer infrastructure in accordance with the specific IT regulations and IT code of conduct for students;
- c) use of the infrastructure of skills labs, labs and other specific classrooms in accordance with the corresponding regulations;
- d) education support via the digital learning platform.

Procedure

The different regulations/criteria can be consulted and/or are available from the responsible services.

§2. Audio or video recordings

Students are not allowed to make audio or video recordings of educational activities, unless this has been arranged with the lecturer of the course. Authorized recordings can only be used for didactic purposes either by the student making it or by the whole student group of the current academic year. Commercial use is prohibited.

Audio and/or video recordings of feedback or assessment activities, including an examination or the oral defence of a dissertation, are only authorized by prior written consent of all present and relevant parties. Unauthorised recordings cannot be used as evidence in administrative or judicial proceedings and should be destroyed upon first request. Students who use the recordings and do not abide by these rules are subject to sanctions as described in the disciplinary regulations.

Students cannot object to the recording of teaching activities by the lecturer for simultaneous transmission and / or use on learning platforms, posters, info brochures and leaflets. However, they can request not to be personally recognisable.

§3. Use of learning material

Students may under no circumstances copy or distribute learning material (course texts, exercises, slides...) which has been made available for them, at a charge or for free, by Odisee in the context of their study programme, so that they or others can gain commercial benefit from it. Students may not copy or use examination material, which has been made available to them, at a charge or for free, by Odisee in the context of their study programme, for other purposes than personal ones.

Students who do not abide by these rules are subject to sanctions as described in the disciplinary regulations. Students furthermore risk prosecution for breaches of copyright laws.

§4. Forging of documents

Any person who forges documents of Odisee can be prosecuted. If it concerns students of Odisee disciplinary regulations can also apply.

§5 Use or publication of papers and theses

This article regulates the copyrights with regard to a thesis or any other paper, including the appendices, drawings, models, programmes or databases that form part of the paper that a student creates as part of his study programme at the Centre of Continuing education.

This article does not affect the general principles of copyright as laid down in the applicable Belgian copyright laws. The author retains his full intellectual rights (right of paternity, decision to publish and right to integrity) and property rights in respect of a paper, subject to the prerogatives and rights of use imposed in this article for the benefit of the Centre of Continuing education and third parties.

The student is responsible for respecting the intellectual rights of the Centre of Continuing education, Odisee and third parties in every paper he creates. Odisee and the Centre of Continuing education have the right to, at no charge, make partial or full use of each paper for teaching and scientific research purposes, including for verification purposes and plagiarism detection by electronic or other means, for the entire duration of the protection of the papers. This right means, amongst other things, that Odisee or the Centre of Continuing education can publish the work, make it available for consultation in libraries and make it available to the public online via a database/'open archive' repository or related system.

The Centre of Continuing education may use the paper for marketing purposes if the student has given his written permission to do so.

If the external partner with whose cooperation the paper was created has requested the confidentiality of the paper, the student must strictly respect the confidentiality. The paper cannot then be used for scientific purposes, marketing or any form of publication unless the external partner has granted written permission.

Procedure

When submitting the paper, the student must state that the work must be treated confidentially, as well as the period in which the confidentiality applies. If the student fails to report confidentiality in time, the student is liable for any damage he or others may suffer as a result.

Use of the paper for scientific research respects the rules for quoting and referring that are customary within the discipline concerned.

This article does not exclude the possibility that agreements can be made with third parties that relate to the copyright of the above-mentioned papers. Such agreements are not determined by this article and must be the subject of a separate written agreement between the Centre of Continuing education (Odisee), the student and the third party or parties concerned.

Article 50. Protection of personal data

Which personal data of students are collected and how the personal data of students are protected is described in the 'Students' Privacy Statement', which can be consulted on the website of the Centre of Continuing education.

Section 2 Legal protection and handling of complaints

Article 51. Handling of complaints and working of the ombudsperson

The Centre of Continuing education appoints an ombudsperson with relevant experience, as well as a substitute ombudsperson. Students can contact this person during the academic year with regards to aspects of education that, due to their personal nature, cannot be handled by the

regular bodies of the Centre of Continuing education. The ombudsperson mediates between the student(s) involved, the teacher(s) and the policy institutions.

Article 52. Denial of (further) access to a course

The Centre of Continuing education can, in accordance with the determined procedure, in particular cases and on objective grounds, cancel an internship, workplace learning or another practical course early, if students through their behaviour have shown to be incapable of performing a job for which the programme prepares them and for which reasonable adjustments offer no solution.

Students whose internship, workplace learning or practical course is terminated, by application of the first paragraph, are not entitled to a second examination opportunity, and are refused to reregister, unless they meet possibly imposed binding conditions.

Procedure

The Centre of Continuing education decides on the early cancellation of a course and determines whether binding conditions can be imposed. The decision is motivated in detail.

If the Centre of Continuing education wishes to deny the possibility to continue to follow a course, this will only be definite after confirmation by a central commission. This commission consists of the Rector, the director of the Centre of continuing education and the ombudsperson.

Students who are denied the right to continue a certain course, receive:

- a) the announcement by the Centre of continuing education of the denial of the right to continue the course;
- b) the notification of the grounds on which this decision was taken;
- c) a term of seven calendar days to lodge an appeal against this decision with the internal commission of appeals according to the procedures as stipulated in *Article 53. Appeals against individual decisions*.

Article 53. Appeals against individual decisions

Appeal is only possible in postgraduate programmes or in continuing education programmes with a certificate of qualification against:

- an examination decision
- a decision with regards to the granting and the size of an exemption;
- the refusal of a reasonable adjustment for students with a disability
- the denial of the right to continue a course as stipulated in Article 52.

An examination decision is each decision in which:

- an evaluation of a separate course is determined definitively;
- a conflict is settled;
- the general result and the possible granting of a level of achievement for a whole programme is decided.

Students who consider that a decision as mentioned in the previous paragraph is violating their rights can file an internal appeal.

Under penalty of inadmissibility, the petition should include the identity of the student involved, the decision(s) in question as well as a description of the facts and objections and should be submitted by registered mail to the Director Education and Research Odisee, Campus Brussels, Warmoesberg 26, 1000 Brussels, and this in a timely manner.

The student should also send an electronic version of the petition to juridische.zaken@odisee.be, at the same moment he sends his registered letter. The appeal should be filed within a time period of seven calendar days. In case of an appeal against an examination decision, this period starts on the day following the day of the announcement of the exam results. For appeals against other measures of study progress this period starts on the calendar day following the day on which the student is notified of the decision. The date of the appeal is the postal date of the registered letter.

The appeal should state an e-mail address on which the student can be contacted during the whole procedure. This e-mail address will be used for all correspondence concerning the appeal, including the announcement of the final decision.

Students who consider an appeal against an examination decision but who wish to postpone this decision until after a meeting with the examiner, should also register the appeal within the period described in the previous paragraph. If they do not provide a more elaborate justification of the complaint within the next five calendar days following the submission of the petition, the appeal is automatically considered invalid.

The appeal is handled by the internal appeal authority. The Director Education and Research, The Director Student and Talent and the Director Continuing Education can each be considered as the internal appeal authority. In the event of absence or force majeure, either of them can be substituted by a member of the board.

The internal appeal authority can hear the student (**in person or online / remotely**). This happens in the presence of a lawyer of the university college and an ombudsperson. The internal appeal authority asks information from all parties involved and in any case from the teacher of the course in question (if applicable). After consulting the lawyer and the ombudsperson, the internal appeal authority will make a final decision.

This internal appeals procedure leads to:

- a) a motivated denial of the appeal on the basis of inadmissibility or groundlessness;
- b) a new decision by the internal appeal authority.

The decision is sent to the student by e-mail. The e-mail address which the student stated in the registration of the appeal is used.

The decision is reported to the student within a period of twenty calendar days, starting on the day on which the internal appeal is made. The internal appeal authority can announce to the student, within the provided time and in a reasoned way, that a decision will be made on a later date. In that case the period for external appeal only starts after said date.

After depletion of these internal appeal possibilities, the student can, in accordance with the determinations of the Codex Hoger Onderwijs, codified on 11 October 2013, file further appeal against the decision concerning examination results with the Council for conflicts of study progress decisions (Raad voor betwistingen inzake Studievoortgangsbeslissingen).

Article 54. Procedure regarding administrative and technical (material) errors

Administrative or material errors in favour of the student can always be corrected. At the expense of the student, a correction can only take place within 10 calendar days after the decision is made, except in the following cases:

- if the material error implies a breaching of legal conditions;
- if the material error is demonstrably the result of a serious negligence or serious mistake of the student.

Section 3: Code of conduct regarding the language regulations

Article 55. General provision regarding the language of education and administration

Dutch is the language of instruction at Odisee. For specific reasons, subject to legal and decree provisions, other languages may be used. When this is the case, this will be explicitly mentioned. Courses taught in Dutch are also assessed in Dutch.

The administrative language of Odisee is Dutch. To facilitate the communication with students, teachers, services or institutions, an international lingua franca may also be used.

TITLE 4: CONCEPT DEFINITIONS

Certificate of participation

The document that can be delivered to a student at the end of a course for the hours actually followed.

Centre of Continuing education

Odisee has 4 Centres of Continuing education:

- EHSAL Management School (EMS)
- Fiscale Hogeschool (FHS)
- Odisee Advanced Education (OAE)
- Preventie & Milieu Academy (PMA)

Certificate of qualification

The document that is delivered to a successful student at the end of a study programme (postgraduate or continuing education course with a certificate of qualification) and in which the most important identification data of the student and the study programme are included.

Technical (material) error

Each composition of an individual programme of study or annual programme that does not

comply with the legal and regulatory conditions, as well as each material act by which an incorrect mark is passed on as an exam result for the student.

Educational activity / course module (OLA)

Subdivision of a course in terms of a specific coherent total of teaching and learning activities and an associated number of credits.

Course (OPO)

A course is a delineated set of teaching, learning and examination activities; each course includes at least one course module.

Continuing education

Educational programs of (usually) limited scope for specialization or for updating scientific knowledge or for broadening or deepening competences.

Postgraduate certificate of qualification

Document that proves that someone who meets the decree admission criteria has passed a postgraduate course.

Postgraduate course

Continuing education course, whereby a consistent set of at least 20 credits is offered.

Written notification

An unambiguous notification of a request, intention or decision in another way than orally (by means of a letter, e-mail, fax,...).

Credit

A unit expressing the size of a programme or course.

Tolerance

A tolerable result that automatically or by the decision of a student is taken into account in order to obtain a degree. Applying a tolerance implies that the tolerable result is maintained; refusing a tolerance implies the student does not wish to keep the tolerable result.

Continuing education route

Continuing education course, different from a postgraduate course, that can lead to a certificate of qualification or a certificate of participation. The extent of other continuing education routes is not determined and does not have to be expressed in credits.

APPENDIX: DISCIPLINARY REGULATIONS

Article 1. Principle

Students enrolling at the Odisee are expected to behave, both within and outside the university college community, in a way that shows respect for others, for the society and its goods, to not commit acts that are incompatible with the elevated mission of the university college in general and the principles on which this university college is founded, in particular.

Every student needs to abide by the following non-exhaustive list of obligations:

- The student contributes actively to a safe, clean and orderly environment. He abides by the legal provisions, complies with regulations and agreements that are in force at Odisee and contributes actively to check proper implementation.
- The student shows respect and courtesy towards the people he meets in the context of his programme and all activities at Odisee.
- The student respects the boundaries of a respectful way of dealing with others and refrains from transgressive behaviour, sexual harassment, stalking, discrimination and violence in any form whatsoever.
- The student refrains from any form of bullying and cyberbullying.
- The student respects the privacy, the image right and all other intellectual rights of people he meets in the context of his programme and all activities at Odisee. Unless the teacher involved approves, students are not allowed to record educational activities or disclose these recordings by using whatever technical means or methods.
- When using electronic means of communication and social media, the student does not create or distribute recordings or information about others if the persons involved have not given permission to do so or if the persons involved can reasonably be negatively affected, as is the case for example when personal, derogatory or offensive information is shared.
- The student respects the property of all people they meet in the context of their programme and all activities of Odisee.
- By using the infrastructure and technical equipment of the university college, the student complies with all regulations issued by the university college. The student needs to follow the fire safety instructions strictly. The student who damages buildings or equipment of Odisee will be held liable for any costs incurred, notwithstanding possible disciplinary measures.
- No smoking is allowed on the campuses, except in the designated smoking areas. Food and drinks are only allowed in the therefor designated areas. It is strictly forbidden to eat or drink in class or in training areas, the library/resource centre and classes with computer or audio-visual equipment.
- The student respects the safety and health of all people they meet in the context of their programme and all activities at Odisee, and prevents causing them harm or endangering them.

- The student is obliged to follow all rules of conduct, oral and written guidelines and orders from the government and the university college, which are aimed at protecting the health of everyone in order to limit the risk of the spread of germs.
- The student needs to be able to identify himself at any time by means of his student card or in lack of this, his identity card. He shows this card at the first request by Odisee staff. Odisee staff can take the card temporarily in order to make a copy.
- The possession of drugs, fake weapons, weapons and dangerous objects is explicitly prohibited. It is also prohibited to use any object as a weapon. Odisee can contact the police in case of violations or infringements on this prohibition. The prohibition applies both in the buildings of Odisee and its surroundings, and during activities of Odisee that are organized elsewhere. The student needs to participate in controlling the observance of this prohibition. He needs to follow up on a request by an Odisee employee to hand in a prohibited object. Prohibited objects can be confiscated temporarily by Odisee to transmit them to the police. The student can also be asked to empty his pockets, bags etc. in order to demonstrate that he does not possess prohibited objects. If the student refuses to cooperate, the police can be notified to carry out an investigation. If Odisee suspects an infringement of the prohibition, a collective control can be performed, this after consulting with the police or public prosecutor.

Additional regulations such as these on the use of the library/multimedia centre, the ICT-services, the computer equipment, the use of the student card and skills labs, labs and other specific areas can complement and extend these disciplinary regulations. These regulations can be consulted and/or are available at the department concerned.

Article 2. Disciplinary measures

The stipulations of these disciplinary regulations do not affect the authority of the members of the board, directors of the field of study departments, heads of the programmes, campus directors or campus coordinators, team coordinators and heads of Centres of Continuing education and course coordinators to take the necessary measures to maintain the order and safety of the university college in all circumstances with immediate effect.

Article 3. Competent authorities

The disciplinary committee as determined in Article 6. of the disciplinary regulations is charged with maintaining disciplinary action at the institution. The persons and bodies who are in charge of discipline enforcement at the university college include: the directors/heads of the Centres of Continuing education, the appointed disciplinary committee in accordance with Article 6, and the appointed disciplinary appeals commission in accordance with Article 7.

Article 4. Sanctions

The disciplinary sanctions are:

- a) a warning; this sanction can only be imposed once for a similar fact. The next sanction will automatically be more severe;
- b) a denial of access to the library/multimedia centre, skills labs, labs and computer classes including associated facilities for a period ranging from one week up until to the end of the current academic year;
- c) a denial of the right to be present at official teaching contact times;
- d) a provisional suspension and/or expulsion;
- e) a refusal, as a disciplinary measure, of a permission to enrol;
- f) a permanent expulsion or consilium abeundi.

The student is informed about these sanctions in writing.

Article 5. Start of the procedure

A student against whom a disciplinary measure is considered, is entitled to:

- a) be informed by the Director or Head of the Centre of Continuing education of the nature of the measure that is considered against him and the grounds on which it is based.
- b) have access to the entire file;
- c) be given a reasonable period in which he can prepare and submit an oral and written defence.

The student may be assisted by a person of his choice in every stage of the procedure.

Article 6. Composition of the disciplinary committee and procedure

The disciplinary committee comprises: the Rector, the Director of the Centre of continuing education for which the student is registered and the President of the General Student Council. The Rector is the chairman of the disciplinary committee.

Procedure

Within 5 calendar days, starting from the day after the announcement is made as set forth in *Article 5. Start of the procedure* the student must notify the Director or Head of the Centre of Continuing education of whether he wishes the decision to be taken by the disciplinary committee described in this article. If not, the Director or Head of the Centre of Continuing education takes the decision at first instance. If the fifth calendar day is a Sunday or a holiday, the period in which the student can indicate his preferred procedure can be extended to the next weekday.

During the session with the Director or Head of the Centre of Continuing education or the disciplinary committee the case is explained and discussed. The student has the opportunity to reply.

The Director or Head of the Centre of Continuing education announces the decision, even if it is made by the disciplinary committee, including the internal appeal option as stipulated in *Article 7. Appeal*.

Article 7. Appeal

Within 5 calendar days of the notification of the sanction by e-mail, the student can file an appeal to the disciplinary appeals committee in writing with a justified request. The five-day window for appeal starts on the day after the notification of the sanction. If this period ends on a Sunday or a holiday, the next calendar day is included for the admissibility of the appeal. The guarantees mentioned in *Article 5. Start of the procedure* also apply to this appeal procedure. In addition, for the protection of the student, the file is provided only to the members confidentially closed under cover.

The disciplinary appeals committee consists of:

- two representatives of the university college's management;
- two staff representatives (one teaching staff, one administrative staff or patrimony staff);
- two representatives of the student council.

The internal appeal procedure does not suspend the penalty imposed.

The Rector and Director or Head of the Centre of Continuing education are not part of the committee.

This internal appeals procedure may have the following outcomes:

- a) a reasoned denial of the appeal on the grounds that it is inadmissible or unfounded;
- b) a new decision by the disciplinary appeals committee.

The disciplinary appeals committee will hear the student within a period of thirty calendar days following the petition receipt.

The student may be assisted by a legal adviser or counsellor. The disciplinary appeals committee makes a decision within fifteen days after hearing the student.

The decision will be communicated via the e-mail address from which the student submitted the appeal.