

IMPORTANT NOTICE

This translation is provided solely for the convenience of students who do not read Dutch and has no validity in Law. Any judicial dispute arising from these regulations must refer only to the original version in Dutch.

EXAM REGULATIONS BAMA + FLEX

As approved by the Governing Body on 18 January 2005 and 21 June 2005.

PRELIMINARY REMARKS

The exam regulations were drawn up on the basis of the decree of 4 April 2003 concerning the restructuring of higher education and the decree of 30 April 2004 concerning greater flexibility in higher education. These exam regulations concern all enrolments registered in accordance with the decree on greater flexibility.

In view of the specificity and distinctiveness of education within the various faculties, the latter will ensure that any necessary additions to the general exam regulations are drawn up and made public. As a result, each faculty will have its own adapted examination regulations.

The exam regulations determine the rights and duties of both examiners and students. They must ensure a proper and smooth running of the examinations, under the supervision of the Dean and the Vice Chancellor.

TABLE OF CONTENTS

Chapter I	Definitions
Chapter II	Examination board / Continuation of studies board
Chapter III	Holding exams
Chapter IV	Equal exam opportunities
Chapter V	Taking exams
Chapter VI	Examination arrangements
Chapter VII	The master thesis
Chapter VIII	Arrangements regarding deliberations and continuation of studies on the basis of exams and deliberations
Chapter IX	Announcement of exam results
Chapter X	Appointment and job description of the ombudsperson
Chapter XI	Provisions regarding the possibility of appealing internally and externally
Chapter XII	Transitional and concluding remarks

Chapter I : Definitions

Article 1

For the purpose of the application of these regulations the following terms are used :

Acceptability means that any flexibility measure must be acceptable to the tenured member of the academic staff who is responsible for a course unit (OO) and final objectives or teaching aims of the course unit. Quality needs to be guaranteed so that a task or exam is of the same level irrespective of the flexibility measure. The standards of competence or knowledge that are aimed for should remain unaffected ; what should change is the way in which competence or knowledge is acquired ;

Academic year : A period of one year that begins on 1 September at the earliest and on 1 October at the latest, and ends on the day before the beginning of the following academic year ; the fixed period of one year may be altered under exceptional circumstances, should the Governing Body of the institution decide to anticipate or delay the beginning of the academic year ;

Update programme : a programme that can be made compulsory for students who wish to pursue a career in higher education on the basis of proof of credit or competence acquired at least 5 calendar years previously ;

Proof of competence : proof or registration showing that a student has acquired particular competencies on the basis of EVCs (previously acquired competencies) or EVKs (previously acquired qualifications) ;

Inquiries into a person's competence : inquiries carried out prior to any recognition of proof of competence ;

Run up to exam week : period during which no exams or other forms of evaluation are organised and during which there is no teaching. It is the period in which students are given time to prepare for exams ;

Proof of credit : recognition of the fact that a student has acquired, on the basis of an exam, the competencies associated with a course unit ;

Credit contract : contract with the student who enrolls with a view to acquiring proof of credit for one or more course units ;

Part-time study contract : a study trajectory that enables the student to complete a programme of study of at least 3 and at most 53 SP (study points) per academic year (at the VUB between 27 and 33 SP) ;

Degree contract : contract with the student who enrolls with a view to acquiring a grade or degree for a course unit or who enrolls for a preparatory or bridge programme ;

First exam session : consists of a first examination period (weeks 17 till 19) and a second examination period (weeks 38 to 41). The first exam session closes with deliberations and the announcement of results ;

Previously acquired competence (EVC) : a previously acquired competence, meaning the total sum of knowledge, insight, skills and attitudes acquired through learning processes though not sanctioned by formal proof of study ;

Previously acquired qualification (EVK) : a previously acquired qualification, meaning any national or international proof of study showing that a formal learning trajectory, within or without an educational

framework, was successfully completed, providing it does not consist of proof of credit acquired within the institution and course of study for which the student is seeking formal recognition for the qualification ;

Examination : any evaluation of the extent to which a student, on the basis of his/her study, has acquired the competencies associated with a course unit ;

Examination contract : contract with the student who enrolls for exams under the particular conditions set by the Governing Board of the institution with a view to acquiring :

- (a) a grade or degree for a course of study, or
- (b) proof of credit for one or more course units.

Examination period : the period during which exams and/or tests are taken ;

Examination schedule : document in which the time and place of the examination are determined for every student ;

Decree on flexibility : decree of 30 April 2004 concerning greater flexibility in higher education in Flanders ;

Individualised study trajectory : a study trajectory for a particular student in which specific conditions are laid down regarding study burden, deliberations and continuation of studies monitoring ;

Feasibility : meaning that a flexibility measure is primarily aimed at making it more feasible for a student in a difficult situation to follow lectures and take exams. The specific situation of the student must be taken into account and the student must be offered an equal chance of succeeding ;

Annual course unit : a course unit that is organised over two semesters. For annual course units, exams are organised in the exam period at the end of the second semester ;

Week off from teaching : period during which there are no exams, lectures or other educational activities ;

Master thesis : piece of work that completes a master course. The master thesis provides the student with an opportunity to show his/her analytical skills and ability to synthesise ; it shows the student's ability to solve problems independently on an academic level or engage in artistic creation. The master thesis reflects the student's general attitude of critical reflection or disposition with respect to research ;

Model trajectory : a study trajectory for the average student in which general conditions are determined with regards study burden, deliberations and continuation of studies monitoring ;

Course unit content description : a description of a course unit including the formal and content-related information as defined in article 3 of the teaching arrangements with respect to the beginning of the academic year. The course unit content description is submitted for approval by the competent faculty authorities ;

Semestrial course unit : course unit organised within one semester. For semestrial course units, exams are organised in the exam period at the end of the semester in which the course unit was taught ;

Decree on the structure of higher education : decree of 4 April 2003 with respect to the re-structuring of higher education in Flanders ;

Study contract : contract drawn up between the Governing Board of the institution and the student in which a particular aim (degree, proof of credit or exam contract) and a particular study trajectory (model or individualised trajectory) are agreed upon ;

Study trajectory : the way study is ordered ;

Continuation of studies decision : one of the following decisions :

- (a) decision regarding exams, meaning any decision - whether or not it is based on deliberations – that includes a final resolution with respect to the satisfactory completion of one or more course units, or a full course of study ;
- (b) decision regarding exam discipline, meaning a sanction imposed as a result of exam incidents ;
- (c) to grant proof of ability, recognising that a student has particular competencies on the basis of previously acquired competencies or previously acquired qualifications ;
- (d) to grant an exemption, meaning to relieve the student of the obligation to take an exam for a course unit or part of a course unit ;
- (e) decision to make it compulsory for a student to register for a bridge programme and/or preparatory programme ; the study burden of such a programme is determined as part of the decision ;
- (f) to take measures to monitor the continuation of studies as provided for in article 51 of the decree on greater flexibility in higher education in Flanders ; (points c, d and e, see teaching arrangements) ;

Tests : a written evaluation based on part of the subject matter of an annual first year bachelor course unit organised in the first examination period of the first exam session ;

Second session : consists of one examination period (weeks 48 till 51) in which a student who did not successfully pass an examination in the first session can take the examination again for the course unit for which no credit was awarded. The second session closes with deliberations and the announcement of results ;

Justifiability : any flexibility measure must be justifiable. Other students should not feel they are being disadvantaged ;

Full-time study trajectory : study trajectory that enables a student to complete a study programme of at least 54 and at most 66 study points (SP) per academic year ;

Exemption : removal of the obligation to take an exam for a course unit or part of a course unit.

Chapter II : EXAMINATION BOARD/CONTINUATION OF STUDIES BOARD

Article 2

1. For all bachelor and master courses an examination board is set up for the whole course (examination board for the whole course).
2. For all bachelor courses an examination board is set up for students who have enrolled under the terms of a degree contract or examination contract with a view to obtaining a grade or degree for a course in the first year and who have acquired no credits (examination board for first year bachelor).
3. For all bachelor courses and master courses of 120 SP and more an examination board is set up in addition to the examination boards provided under §§ 1 and 2 to deliberate on all course units that were followed by a group of students during the relevant academic year in as much as these students are bound by a degree contract or examination contract with a view to obtaining a grade or degree for a course (continuation of studies board).

Article 3

1. The examination board in accordance with article 2 §§ 1 and 2 is composed of all members of the tenured academic staff and other members of the academic staff who, having taken on a teaching assignment as is provided for in the regulations pertaining to academic staff, were responsible for teaching course units in the relevant period or were charged with examining students on course units, and in some cases supervising the master thesis.
2. Members entitled to vote are all members of the tenured academic staff and other members of the academic staff who in accordance with the regulations pertaining to academic staff may take on a teaching assignment, be charged with examining students on course units that are part of the programme followed by the students in the relevant period, and in some cases supervise the master thesis.

Article 4

1. The examination board set up in accordance with article 2 §3 (continuation of studies board) includes all members of the tenured academic staff and other members of the academic staff who in line with the regulations pertaining to academic staff may take on a teaching assignment, and were responsible for teaching a course unit in the relevant period or were charged with examining students ;
2. Members entitled to vote are all members of the tenured academic staff and other members of the academic staff who in accordance with the regulations pertaining to academic staff may take on a teaching assignment, and be charged with examining students on course units that are part of the programme followed by the students in the relevant period ;
3. The complementary faculty exam regulations may determine a different composition for the examination board.

Article 5

1. For every examination board the faculty council appoints a Chairperson and a Secretary as well as replacements for both positions before the beginning of the academic year.
2. The name of the Chairperson of the examination board is posted on the official notice boards throughout the entire academic year.

Article 6

1. If a course unit is taught by several members of the tenured academic staff or other members of the academic staff who in accordance with the regulations pertaining to academic staff may take on a teaching assignment, then it is the holder whose name is recorded in the course unit content description who is the voting member of the examination board. The co-holders may participate in the board's activities, without being entitled to vote.
2. Any departure from the appointed voting member in accordance with §1 is explicitly determined by the examination board at the start of the meeting. A replacement who has taught the course units and has examined the students is automatically a member of the examination board and replaces the official holder of the course unit.

Article 7

The following persons may participate in the activities of the examination board without however being entitled to vote :

- the Vice-Chancellor is entitled to attend all meetings of all examination boards. In some cases, as provided under articles 3 § 2 and 4 § 2 he/she is entitled to vote ;
- the Dean may attend and preside over all meetings of the examination board of his/her faculty. In some cases, as provided under articles 3 § 2 and 4 § 2 he/she is entitled to vote ;
- the members of the academic staff, charged with practical exercises or other activities related to the relevant year of study ;
- the assessors, charged with evaluating theses ;
- the Ombudsperson ;
- the Administrative Secretary of the faculty or a member of the administrative staff who is appointed by the Dean, and who prepares the deliberations ; the trajectory adviser.

Chapter III : ORGANISATION OF THE EXAMINATIONS

Article 8

1. An academic year is divided into two semesters followed immediately by the summer holiday and the second session :

Week 1 – 13 : teaching weeks

Week 14 – 15 : winter holiday

Week 16 : week off from teaching

Week 17 – 19 : first examination period of the first session

Week 20 : week off from teaching

Week 21 – 35 : teaching weeks including 2 weeks spring holiday

Week 36 – 37 : two run up to exam weeks

Week 38 – 41 : second examination period first session and deliberations period (at least three weeks are provided for exams)

Week 42 – 47 : summer holiday

Week 48 – 51 : examination period and second session deliberations (at least three weeks are provided for exams)

Week 52 : week off from teaching

The date when the academic year starts and the dates of the holiday periods are determined each year before the beginning of the academic year and no later than 1 November by the Governing Body.

2. The dates of the examination periods are made public through the official notice boards and are communicated in writing by the Dean to the Vice-Chancellor and the Ombudsperson.
3. The deliberations for the first and second examination periods of the first session occur at the end of the second examination period of the first session. In accordance with the provisions of the complementary faculty regulations, deliberations can only be held at the end of the first examination period of the first session for students in a graduating year.

Article 9

1. A test can be organised in the first examination period of the first session, but only for annual course units in the first year bachelor.
2. The faculties determine the necessary measures in the complementary faculty regulations.
3. The competent faculty authorities decide, before the beginning of the academic year and at the suggestion of the titular, under which circumstances and how test results are weighted in the final results of the session. This arrangement is included as part of the information contained in the course unit content description.

Article 10

1. Every student is entitled to two exam chances for each course unit for which he/she has enrolled.
2. Under no circumstances may a student take the same exam or part exam more than twice in the course of the same academic year.

Article 11

1. Each faculty may decide to organise separate evaluations of the competencies associated with course units consisting of various learning activities.

The information communicated to the student must deal with at least the following aspects:

- Description of the various learning activities;
 - The share in terms of percentage of the final exam mark for the various teaching activities;
 - The method and the exact times of the evaluations, which will always take place outside the actual exam periods;
 - The possibility to provide the students with the results of separate evaluations;
 - The possibility to also incorporate the results of separate evaluations into the exam mark for the second session.
2. The modalities in execution of § 1 will be communicated to the students via the course unit files before the start of the academic year.

Article 12

For those course units for which an examination is scheduled in the first exam period of the first session, there can only be a retake at the earliest in the second session.

Article 13

1. Preliminary and final examinations may not be scheduled on Sundays, public or academic holidays.
2. No examinations/tests may be held outside the exam periods set forth in article 8 § 1.
3. Exceptions to the rule are possible for students who belong to special target groups, as determined by the Governing Body (these include top athletes, student representatives in university governing bodies, students with a handicap). The exception is agreed upon on the recommendation of the service concerned (Service for Top sports and Studies for Top athletes, Service for the Counselling of students with a handicap and student representatives) in consultation with the student and examiner concerned, and under the authority of the Dean.
4. The statute of a student that belongs to a “special target group” is based on a dossier and is granted by the Service for the Counselling of students with a handicap and by the Service for Top sports and Studies for top athletes. The granting of the statute of student representative is the decision of the Governing Body.
5. For students participating in international exchange programmes, as also for students enrolled on courses that are part of interuniversity programmes, the decision to make an exception is taken by the competent faculty authorities and recorded in the additional faculty exam regulations.
6. An exception to the rule stating that the exam for semestrialized course units must be set during the exam period immediately following the semester in which the course unit was taught, can be made for students belonging to special target groups, i.e. the

latter may take exams for courses taught in the first semester in the second exam period of the first session.

7. In the exceptional situations as described in the §§ 3, 4 and 5, educational activities need not be suspended.

Article 14

1. The competent faculty council determines the weighting to be applied to the various course units, the way in which it is done, as well as the criteria on which it relies.
2. The way in which the weighting is carried out is included in the supplementary exam regulations which are communicated to the students at the start of the academic year.

Article 15

1 For the first and second exam period of the first session, the examination schedule has to be notified at least one month in advance through the official notice boards or by means of a personal letter. For the second session period, these terms are reduced to a minimum of two weeks.

2 When fixing the examination schedule an attempt will be made to spread the number of examinations to be sat by the student, and, if possible, to have no more than one course unit examination per day.

3 The timetable and the order in which the examinees present themselves for the exam are fixed by the administrative secretary of the faculty or by a member of the administrative staff appointed by the Dean and following consultation with the student representatives involved. The Ombudsman is involved in the making of the definitive examination schedule at his own request, or following the filing of an official complaint.

- 4 Each change to the examination schedule by the university after it has been made public, is notified immediately to the students involved by means of an e-mail or a letter sent through the mails by recorded delivery to an address previously communicated by the students. The change may not result in an examination being moved forward.

- 5 The Dean shall be responsible for the execution of this article.

CHAPTER IV: EQUAL EXAM OPPORTUNITIES

Article 16

- 1 All exam activities must be inclusive. All students student must have the same opportunities. This may call for reasonable flexibility (based on criteria of feasibility, acceptability and justification) allowing for adjustments to be agreed upon for individual students in specific situations. The student seeks the advice of the Service for Study Counselling or the Studies for Top athletes; the latter then addresses a motivated question under the authority of the Dean to the member of the teaching staff concerned. Dialogue is always the preferred means of achieving a workable

arrangement. Should any difficulties occur in the course of this dialogue, the intervention of the Ombudsperson may be requested.

CHAPTER V: PARTICIPATION IN THE EXAMS

Article 17

1. Students are admitted to the exams only if they have been officially and duly recorded for the academic year in question.
2. Students may only register for the examinations after they have submitted all of the required certificates for enrolment and after they have paid the due registration fee. In addition, each faculty may have its own additional stipulations with regard to the submission of certificates and registration for exams. Registration for and participation in the exams (including exams already taken) of students who fail to comply with the conditions set out in § 2 are unlawful. Possible exam marks that have already been obtained will be considered null and void. During the course of the deliberations, the examination board will establish the fact that a student has unlawfully participated in the exams. The student will subsequently be declared to have unlawfully participated in the exams.

Article 17

1 Without prejudice to the provisions of article 17, the faculties shall determine the conditions according to which students are admitted or not to the examination period. These rules must be communicated to students at the start of the academic year, and shall be included in the supplementary faculty regulations.

- 2 Students who are not admitted must be notified of this in writing no later than two weeks prior to the start of the examination period, or no later than two weeks before the end of the normal period of classes. Notification must be accompanied by a founded decision from the President of the examination board. A copy of this decision is submitted to the Rector and the Ombudsman. Within **five** working days following receipt of the decision, an appeal may be lodged with the appeal committee referred to in article 59.

CHAPTER VI: TAKING EXAMS

Article 19

1 Students must abide strictly by the established time and place of the examination. In cases of force majeure, the student has a right to change the time and place of the examination on condition that justification be given. Any force majeure and documents in support thereof must be communicated to the faculty secretariat within three days following the ceasing of the force majeure. The Dean is then responsible for making new examination arrangements in consultation with the student and the examiner.

In cases of force majeure, during the first exam period of the first session, where it is not possible to reschedule an exam to another time within that same exam period, the Dean, on the strength of the relevant dossier, may decide to extend the exam period of the first session or grant permission for exams related to particular course units to be taken in the second exam period of the first session.

2 The examiner shall abide strictly by the established time and place of the examination. In the event that the examiner is absent without having given notice, the examination will be deemed to be cancelled after one hour following the predetermined appointment. The student must notify the Dean as soon as possible, and without prejudice to the provisions contained in article 15 par. 4, the latter will reschedule the examination in consultation and agreement with the student.

Article 20

1 Students are examined by the lecturer who is the official titular of the course unit, or by a replacement who has taught it during that year of study.

2 In case of force majeure or a legitimate reason for absence, the examiner may submit a motivated request to the Dean in order to be relieved from all or part of his examining duties. In consultation with the President of the examination board, the Dean then recommends a substitute examiner, who must be a member of the tenured academic staff or a doctor-assistant, to the Rector.

3 If there is a 1st-4th degree blood or family relationship between the student and the examiner, the Dean shall appoint a replacement for the latter in consultation with the President of the examination board. In this case, the examiner must request such a replacement from the Dean before the start of the examination periods.

4 Following a motivated written request sent to the President of the examination board at least two weeks prior to taking an examination, each examinee is entitled to ask that one or two members of the tenured academic staff be present at the examination.

Article 21

1 All preliminary and final examinations are public, and take place in one of the university rooms, with the examiner being the titular of the course unit. In exceptional circumstances and with prior approval from the Dean, it is possible to change the exam location.

2 The public nature of the written preliminary/final examination is ensured by allowing the party concerned access to the script. The scripts are kept by the examiner for a period of five days following the public announcement of the results, either in his/her office or at a location which has been properly publicised beforehand. The examiner shall keep all scripts for a period of one year.

3. Without prejudice to the provisions under par. 2, a student may request access to the written preliminary/final examination, after the announcement of the results.

Article 22

1. Examinations are oral or written.
2. With a view to providing pedagogically sound counselling the student is entitled to an explanation of the results of preliminary and written exams within a time span running from the end of the exam period until five working days after the proclamation at the latest.

Article 23

1 No later than three weeks before the start of the examination period, the examinee may, for medical reasons or if he/she belongs to a special target group, request the President of the examination board for a deviation from the examination from prescribed for one or more course units.

In exceptional circumstances, there may be deviations from this term and/or kinds of motives.

2 The President of the examination board shall inform the Dean and the lecturer(s) responsible for the course unit(s) of the changes.

Article 24

If an examinee does not report for the examination period or ceases participation, he/she must immediately inform the faculty administrative secretary of this in writing; the latter shall subsequently apprise the President and the members of the examination board.

Article 25

1 Irregularities committed by the student when taking preliminary or final examinations, or other means of evaluation must be immediately notified in writing to the Dean by the academic staff member.

2 Each irregularity committed by a student during preliminary or final examinations, or any other means of evaluation, may result in a penalty.

The penalty may include exclusion from all examination periods of the current academic year.

3 Within five working days following the establishment of any irregularity, all parties involved are heard by the Dean, who will make a decision with regard to the irregularity and

the penalty to be imposed. The Dean shall immediately communicate his decision to the student, who receives a receipt or a registered letter, as well as to the President of the examination board.

4 The student is entitled to file an appeal with the President of the examination board within 5 working days following the notification of the decision. The examination board can only make valid decisions when a quorum of half the voting members are present. The examination board acting as a court of appeal is joined in an advisory capacity by the ombudsperson and a representative of the Rector with expert knowledge in the fields of education and exam regulations. The internal appeal procedure leads to

- the justified rejection of the appeal by the President of the examination board concerned on the grounds of its inadmissibility;
- a decision by the examination board, taken in the course of a special session, that provides justification for confirming or revising its original decision.

5 In the event of an appeal, the decision by the Dean is, in conformity with **par. 4** of the present article, suspended until such time as the examination board has made a decision regarding the established irregularity.

6 The decision resulting from the application of § 4 is communicated to the student within 15 calendar days following the day after the day the appeal was lodged. The Rector and the Ombudsperson are informed of this decision.

7 Students are allowed counsel throughout the entire procedure.

8 As described in article 60, it is possible to lodge an appeal with the Board of disputes regarding study continuation decisions against the decision resulting from the application of § 4.

CHAPTER VII: THE MASTER THESIS

Article 26

1 Every master course provides for a compulsory master thesis. Students must communicate to the Dean, in writing, and at a time established by each faculty in its additional exam regulations:

- 1 the subject of the thesis;
- 2 the signature of the supervisor, by which the latter approves the topic;
- 3 possibly, the objectives and methodology.

2 Before the winter recess, the list of theses is submitted for approval to the faculty council with for each the mention of the subject and the supervisor. The faculty council shall appoint at least two assessors no later than 1 May.

3 The supervisor must be a member of the tenured academic staff. The assessors are members of the academic staff at large. A single party who is alien to the university may be admitted to the board for reasons of recognised expertise.

Article 27

1 Changes regarding the subject, a change of supervisor at the request of the student or the supervisor must be communicated in writing to the Dean. Grounds must be given for any changes.

2 Pursuant to the provisions contained in article 26, except for the terms, a new subject is chosen, or another supervisor is appointed.

Article 28

The supervisor commits him/herself to regularly monitoring the student, with the latter committing him/herself to regularly informing the supervisor of the progress of his/her research. In case of non-compliance, the student or the supervisor may report this to the Dean in writing. The Dean may then take a decision which may lead to a change in supervisor and informs the faculty council of this.

Article 29

Before the beginning of each academic year the faculty fixes the dates on which the thesis has to be submitted. The thesis must be submitted electronically and on paper in at least four and at most ten copies.

Article 30

Together with the thesis, a summary (in a publishable format) is submitted, as well as an abstract to be included in the lists of theses in Belgian journals (author, title, university, supervisor, year, and subject in five to ten lines).

Article 31

1 Without prejudice to the provisions under par. 2, the supervisor and the assessors evaluate the thesis and award marks.

2 If no public viva of the thesis has been determined for all students, the student at his request shall have access to the motivated report and marks awarded by the supervisor and the assessors. The student may subsequently decide whether or not to request a viva with the supervisor and the assessors. The marks awarded are communicated to the student.

3 Having written a motivated report, the supervisor and/or the assessors are entitled to impose a public viva on the student in question.

4 If a public viva is prescribed for all students, the marks and the reports may be communicated to the student.

Article 32

The reports by the supervisor and the assessors are to be made available to members of the examination board three days before the deliberative examiners' meeting and must be available for consultation during the meeting.

Article 33

The Dean is immediately notified in writing of any complaints regarding irregularities (e.g., a case of plagiarism), which shall be treated in compliance with the provisions contained in article 25 of the present examination regulations.

CHAPTER VIII: ARRANGEMENTS REGARDING DELIBERATIONS AND CONTINUATION OF STUDIES BASED ON EXAMS AND DELIBERATIONS

Part 1: The course of the deliberations

Article 34

The secretary of the examination board carefully records the minutes of the deliberations by the examination board. The minutes are signed by the President and the secretary of the examination board and made available to the Rector and the ombudsperson.

Article 35

Immediately after completing the examination session, and no later than three working days before the deliberations, the examination results are communicated to the administrative secretary of the faculty or to a member of the administrative staff appointed by the Dean who prepares the deliberations.

Article 36

The presence at the deliberations and the signing of the examination sheet is obligatory for all voting members of the examination board. Apologies for valid absence must be submitted beforehand to the President of the examination board or the Dean.

Article 37

1 The examination board's deliberations are valid only if there is a quorum of two-thirds of voting and full-time employed faculty members, who assessed the student during the examination period concerned.

2 For the application of this article the valid absences are taken into account for the quorum.

Article 38

The examination board acts as collegiate body. Only those members of the examination board who have examined the student have a vote, taking into account the provisions contained in articles 2 and 7.

Each member has only one vote, irrespective of the number of course units he/she has examined on.

Any voting member of the examination board has a right to demand a secret vote.

Article 39

The members of the examination board and all other persons who are present at the deliberations are bound to secrecy.

Article 40

Every year at the end of the second examination period the Dean compiles the list of illegitimate absences or shortcomings in connection with articles 19 par. 2, 35, 36 and 37 and submits them to the Rector with a commentary.

Section II: Study continuation on the basis of exam results

Article 41

1. A student obtains a proof of credit for each course unit he/she has passed. A student passes a course unit when he/she has obtained a result of at least 10 out of 20.
2. A proof of credit retains unlimited validity within the programme in question at the institution where it was obtained.
3. An update programme can only be imposed when at least 5 calendar years have expired since the study credits were obtained. This term of 5 calendar years is calculated from the first day of the month of October following the month in which the proof of credit was obtained.

Article 42

1. In accordance with article 2§1, the examination board set up for the full study programme has full powers to:
 1. declare whether a student has passed the full study programme or not;
 2. determine which course units the student must repeat with a view to obtaining a degree;
 3. determine the honours that may be awarded to the degree.
2. A student obtains a degree when he/she has officially passed the full study programme.

A student has officially passed if he/she has taken all examinations involved in the study programme and if:

1. All exams have resulted in proof of credit, or
 2. The examination board can motivate its conclusion that the aims of the study programme have been achieved in general. In any case, if a student has obtained an average result of below 10 out of 20, he/she does not pass.
3. The examination board has full powers to decide by a simple majority of its voting members present. In the event of a tie of votes, the decision will be made in favour of the student.
 4. The fact that a student has officially passed in general does not imply that he/she is eligible for proofs of credit for those course units he/she has not passed.

Article 43

1. The following honours are awarded in all study programmes, for which the following criteria are applied:

- a student passes with “satisfaction” when he/she has obtained an average result of at least 50% and has not exceeded the maximum number of failed exams allowed as determined by additional faculty regulations;
- a student passes with “distinction” when he/she has obtained an average result of at least 68% and has not exceeded the maximum number of failed exams allowed as determined by additional faculty regulations;
- a student passes with “great distinction” when he/she has obtained an average result of at least 78% and has not exceeded the maximum number of failed exams allowed as determined by additional faculty regulations;
- a student passes with a “greatest distinction” when he/she has obtained an average result of at least 85% and has not exceeded the maximum number of failed exams allowed as determined by additional faculty regulations.

2. The following guidelines are observed in applying the honours criteria stated in §1 and article 45§2:

- average result = weighted or non-weighted average result in accordance with faculty regulations (each course unit weighted on its own merit, but weighting can also depend on the phase of the study trajectory in which the course unit is programmed);
- no honours or honourable mentions will be awarded to linking or preparatory programmes or enrolments with a view to obtaining study credits (enrolments under credit contract and examination contract);
- faculties decide on their own rules regarding the acceptance of fails/failed exams: faculties can determine which course units may not be failed;
- the honourable mentions awarded by examination boards responsible for intermediate deliberations (the examination board for 1st year BA and the study continuation commission) are awarded on the basis of an average result of 78%, no fails, and per volume of at least 27 study credits;
- individual deviations are possible following a motivated decision by the examination board.

3 Guidelines regarding the number of fails/failed exams allowed in order to pass with honours are stipulated in the additional faculty regulations.

4 In order to obtain honours, the student must have obtained a minimum number of study credits at the VUB:

- Bachelor: at least 60 study credits;
- Master: at least half the number of study credits;

Study credits awarded by institutions that have an agreement of mutual recognition with the VUB are also taken into consideration.

Article 44

1. The examination board set up in accordance with article 2 § 3 (study continuation commission) has full powers to:

1. determine examination results definitively;
2. decide which course units must be repeated with a view to obtaining a degree later;
3. formulate non-binding study advice following the assessment of the student's study continuation on the basis of his/her examination results.

2. The assessment of study continuation involves looking at the following aspects:

- the number of study credits for which the student has obtained a proof of credit;
- the average result of the student;
- whether the student's right to enrol on certain course units has already expired or not;
- whether a degree can be obtained within the time period set out in article 47.

3. The examination board has full powers to decide by a simple majority of its voting members. In the event of a tie of votes, the decision will be made in favour of the student.

Article 45

1 The examination board set up in accordance with article 2 § 2 (1st year bachelor) has full powers to:

1. determine examination results definitively;
2. decide which course units must be repeated with a view to obtaining a degree later;
3. declare whether a student has passed all relevant course units or not;
4. formulate non-binding study advice based on the student's study continuation.

2 A student has officially passed when he/she has sat all examinations for the particular section of the study programme concerned, and when:

1. all exams have resulted in proof of credit, or

2. the examination board can convincingly argue that the requirements of the particular section of the study programme have been met in general. A student passes when:
- he/she has obtained an average result of at least 50%;
 - he/she has not failed more exams than allowed by additional faculty regulations.
- 3 The examination board has full powers to decide by a simple majority of its voting members. In the event of a tie of votes, the decision will be made in favour of the student.
- 4 If a student is declared to have passed in general, it does not follow that he/she is eligible for proofs of credit for those course units that he/she has not passed.

Article 46

1 After determining the examination results and deciding which course units the student must repeat, the examination board will issue the student with non-binding study advice following their assessment of the student's study continuation.

2 Students in a model trajectory can be issued with the following non-binding study advice:

- Normal continuation of the model trajectory: this advice is issued when the student has obtained a proof of credit for every course unit;
- Conditional continuation of the model trajectory: this advice is issued when the student has obtained an average result of at least 10 out of 20 and proofs of credit for at least 2/3 of the study credits taken. The advice will stipulate the time by which the student will need to have caught up and the number of extra study credits he/she is allowed to take.
- Transfer to an individual study trajectory: this advice is issued when the student has not obtained an average result of 10 out of 20, or has obtained proofs of credit for less than 2/3 of the study credits taken.
- Admittance to the model trajectory: the examination board believes the student has proven he/she can be re-admitted to the model trajectory.

3 Students in an individual study trajectory will be provided with individual non-binding study advice based on the assessment of their study continuation as stipulated in article 44§2.

Article 47

1 In case a student enrolled under the terms of a degree contract or examination contract with a view to obtaining a degree has failed twice already to obtain a proof of credit for a particular course, he/she must submit his/her dossier to a faculty board specifically set up for this purpose **prior** to a possible third enrolment. This faculty board can then impose measures to monitor the student's study continuation. The composition of this board is stipulated in additional faculty regulations. The following measures can be enforced:

- Allow enrolment only on certain binding conditions;
- Refuse enrolment rights to a student. This possibility is only resorted to when binding conditions were previously enforced without there having been a positive outcome or when it has become obvious from the student's dossier that enforcing such binding conditions will yield no positive results.

Measures following the monitoring of study continuation are also imposed on students enrolled under the terms of degree or examination contracts when they have not yet obtained a degree for a particular programme after a certain term has expired. This term is calculated on the basis of the number of study credits involved in the study programme:

1° if the student has embarked on a full-time study trajectory:

- a) the first and second bracket of 60 study credits are expected to last 2 academic years each,
- b) the third and possible consecutive brackets of 60 study credits are expected to last 1 academic year each ;

2° if a student has embarked on a part-time study trajectory:

- a) the first and second bracket of 60 study credits are expected to last 3 academic years each,
- b) the third and possible consecutive brackets of 60 study credits are expected to last 2 academic year each.

2 A student enrolled under a study or examination contract with a view to obtaining study credits can be refused enrolment rights when he/she has been enrolled twice before on a particular course unit at a college for higher education or university of the Flemish Community without obtaining proof of credit for it. This stipulation becomes void when the course unit was the subject of deliberations of the examination board and the student was declared to have passed the complete programme or the sum of the course units concerned. These powers are awarded to the faculty board referred to in §1.

Chapter VIII: ANNOUNCEMENT OF RESULTS

Article 48

The results of the examinations and preliminary examinations sat in the first exam period of the first session are communicated to the students in the 21st week of the academic year.

Article 49

After the deliberations, the President of the examination board, the Dean or a member of the examination board appointed by the latter publicly announces the decision of the examination board in accordance with article 2§1. Decisions taken or advice issued by the examination board following article 2§§2 and 3 will be communicated to the student according to the modalities set forth in the additional faculty regulations.

Article 50

After the announcement of the decision taken or advice issued by the examination board, each student is personally sent (letter or e-mail) an individual result sheet, which includes the examination mark for each course unit as discussed by the examination board.

Chapter IX: APPOINTMENT AND TASK DESCRIPTION OF THE OMBUDSMAN

Article 51

1 Before the beginning of each academic year, the Rector, following consultation with the Governing Body, appoints a full-time tenured member of academic staff Ombudsman. A replacement is also appointed at the same time, and according to the same procedure.

2 For the whole of the academic year, the name of the Ombudsman and his/her replacement, as well as the place and time at which they can be consulted, are posted on the official notice boards.

Article 52

1 The ombudsman receives complaints and remarks from students which may bear on the examination schedule, the running of the examinations, assessment of theses, deliberations, announcement of results, study continuation based on exam results and the obtainment of proofs of credit.

2 At the request of the students, the Ombudsman acts as intermediary between them and the Dean, the President of the examination board, the members of the academic staff and the faculty secretaries with a view to obtaining an amicable settlement of all complaints.

Article 53

1 Without prejudice to the duties entrusted to the Ombudsman under the present regulations, he/she shall also be expected to comply with the provisions contained in article 52§1.

2 No later than three working days of receiving a complaint, the Ombudsman shall propose an amicable settlement to the Dean.

3 The Ombudsman is immediately informed in writing of the definitive outcome.

Article 54

1 In order to carry out his/her task, the Ombudsman is entitled to:

- be involved in the drawing up of the examination schedule;
- consult all documents related to the provisions contained in article 52§1;
- receive all information regarding each examination, even before the deliberations of the examination board;
- participate in the examination board proceedings, without however being entitled to vote.

2 The Ombudsman is bound to secrecy and discretion.

Article 55

1 The Ombudsman submits an annual report of his/her activities to the rector before 15 November.

2 The Educational Council discusses the Ombudsman's annual report in its first meeting following receipt thereof.

3 Before the start of the second semester, the Rector reports to the Governing Body on the Ombudsman's activities and on the discussion of the report in the Educational Council.

Article 56

If the Ombudsman is a voting member of the examination board of a student who appeals to the Ombudsman, the substitute Ombudsman shall act in his/her place.

Chapter X: INTERNAL AND EXTERNAL APPEAL POSSIBILITIES

Article 57

Decisions regarding examinations and examination discipline, as well as measures relating to the monitoring of study continuation that have been affected by a substantive error, can be reviewed within ten calendar days following the day on which the decision or measure was announced. This can be done at the request of the student or, officially, by the President of the examination board. The request for a review must be made by the student in writing (letter or e-mail) to the administrative secretariat of the faculty. The student is informed of the decision to re-deliberate. (rechtzetting?)

Article 58

The Dean is always entitled to reconvene the examination board of his/her faculty in order to reconsider a controversial decision.

Article 59

1 If a student believes his/her rights have been breached by an examination decision or measure with regard to the monitoring of his/her study continuation, he/she can submit an appeal to the President of the examination board concerned within 5 calendar days following the day after the proclamation (examination decision) or announcement (measure of study continuation). The appeal must be submitted to the administrative secretariat of the faculty.

2 The examination board as a professional body can only re-deliberate lawfully if at least half the academic staff that have assessed the student in the period concerned are present. The following persons also attend the meeting and act in an advisory capacity: the Ombudsman and a representative of the Rector with expert knowledge in education and examination regulations. The student is invited to take part in a hearing.

3 The appeal results in:

- a rejection of the appeal by the President of the examination board if the request is not sustainable. The rejection must be well-founded. (a motivated rejection?)
- a decision of the examination board, arrived at in a special session of deliberations, which either confirms or reviews the original decision. The decision must be well-founded.

4 The decision in application of §3 is communicated to the student within 15 calendar days following the day when the appeal was lodged. The Rector and the Ombudsman are informed of the decisions taken in application of §§1 and 3 by the Dean.

Article 60

1 Within 5 calendar days of being informed of the examination board's decision in application of articles 25§4 and 59, or when the student has not been informed of any decision after 15 days, he/she can appeal against the decision to the Council for disputes regarding study continuation decisions, set up by the ministry of the Flemish Community. When the fifth day is a Saturday, Sunday or public holiday, the term is extended to the first day on which normal postal services are resumed.

2 The appeal is communicated in the form of a petition, which contains at least a factual description of the objections invoked.
The appeal is dated and, on penalty of inadmissibility, signed by the petitioner or his/her legal counsel.

3 The petition includes:

- 1° the name and home address of the petitioner. If the home address chosen is that of his/her legal counsel, it is mentioned in the petition.
- 2° the name and seat of the appeal body.
- 3° the subject of the appeal.

4 The petition is sent as a registered letter to the Council for disputes regarding study continuation decisions. A copy of the petition is, at the same time, sent as a registered letter to the appeal body. The date on the postmark counts as the date of appeal.

5 The petitioner may include any pieces of evidence with the petition he/she deems necessary. Subsequently, the petitioner may only add supplementary pieces of evidence to the dossier in so far as they were unknown to the petitioner when the petition was drawn up. In any case, the petitioner sends a copy of the added pieces of evidence to the appeal body without delay. He/she also compiles and lists the pieces of evidence in an inventory.

6 An inadmissible petition can be replaced within the current terms of appeal by a new petition, which must explicitly confirm the withdrawal of the former petition.

7 The decision arrived at by the Council for disputes regarding study continuation decisions is issued within 15 calendar days following the day after the appeal was registered in the register for incoming appeals.

Chapter XI: TRANSITIONAL AND CONCLUDING REMARKS

Article 59

These regulations apply to the organisation of examinations programmes set up as a result of the joint application of the decree of 4 April 2003 regarding the restructuring of higher education in Flanders, as well as the decree of 30 April 2004 regarding improved flexibility in higher education and containing urgent measures for higher education.

Article 60

Each faculty council may supplement the present regulations with special provisions and criteria, as set forth in the present regulations. The additions made by the faculty are made public before the start of the academic year after consultation with the Educational Council, and after the Governing Body has taken cognisance of them.

Article 61

On the recommendation of the faculty council, the faculties may request the Governing Body for changes to the general regulations after consultation with the Educational Council. The Governing Body at all times determines the duration of any changes allowed.

Article 62

Changes to these regulations are possible only following a decision by the Governing Body, after consultation with the faculty councils and the Educational Council.

Article 63

These regulations do not apply to the examinations leading to the degree of Doctor (PhD).

Article 64

When the members of the academic staff do not comply with the examination regulations, certain penalties may be imposed (in conformity with the relevant regulations).

Article 65

Separate examination regulations are valid for enrolments in application of the decree of 12 June 1991 regarding the universities in the Flemish Community.

Article 66

The present regulations shall enter into force from academic year 2005-2006 onwards.