

# STUDENT CODE OF CONDUCT

## *for HAN University of Applied Sciences*

<i>Subject</i>	<i>Student code of conduct</i>
<i>Executive Board decision no.</i>	2020/1688
<i>Participation Council consent</i>	10-7-2020
<i>Adopted on</i>	10-7-2020

### **Article 1 Scope**

Articles 2 to 12 of this code apply to anyone who is on the grounds or in the buildings of HAN and who is enrolled at HAN as a student, course participant or otherwise, and to students, course participants and others during off-campus educational periods (such as internships and graduation assignments).

### **Article 2 Student card**

1. Students are not permitted to make their student card available for use by another person and students are not permitted to use the student card of another person.
2. Any loss of the student card must be reported immediately to the Service Desk.
3. The student may be held liable for the unlawful use of their student card by third parties if they cannot prove they took all precautions to prevent unlawful use by third parties. If the student is held liable, they are deemed to have made their student card available for use by someone else and are therefore in breach of paragraph 1.
4. The student must have their student card with them in the buildings and on the grounds occupied by HAN. Students are required to show their student card upon request.
5. All HAN staff have the authority to request students to show their student card.
6. These staff members can instruct any student who does not show their student card to leave the buildings and grounds occupied by HAN.
7. The responsibility for passing on the correct personal data to the student administration lies with the student. The student concerned must inform the student administration of any changes as soon as possible via Studielink.

### **Article 3 Regulations on student conduct in the buildings and on the grounds occupied by the schools and central services of HAN**

1. The student must use the buildings and grounds occupied by HAN in accordance with their designated purpose.
2. The student must behave calmly and appropriately in the buildings and on the grounds occupied by HAN.
3. In any case, it is forbidden for students to:
  - a. eat and drink in the classrooms and practical rooms;
  - b. smoke in the buildings and on the grounds (this also includes smoking devices that do not contain a tobacco component, such as the e-cigarette);
  - c. disrupt teaching and other activities;
  - d. jeopardise safety;
  - e. be under the influence of narcotics or stimulants, unless it can be shown that they have been medically prescribed;
  - f. act in contravention to environmental regulations;
  - g. behave in violation of the rules of propriety, also described in the Integrity Code and articles 8, 9 and 10 of this code;
  - h. act in contravention to the applicable traffic rules;
  - i. contravene the provisions of the Student Charter concerning the use of computers, email, the Internet and Intranet, as well as the provisions of the Code of Conduct for the Use of Data and Information Systems; and
  - j. use the digital learning environment for improper purposes.
4. It is forbidden to wear face-covering clothing.

5. The dean has the authority to lay down additional clothing regulations in a separate section in the Education and Examination Regulations (EER) of a degree course or group of degree courses if this is necessary from the point of view of the practical realisation of the education.
6. Without prejudice to the provisions in paragraphs 4 and 5, the dean has the authority to impose requirements on the behaviour and attitude of students from the viewpoint of the requirements set in the professional profiles and the requirements entailed in the professional practice. These requirements should be included in the appendix to the EER.
7. The guidelines as set out in paragraphs 4 to 6 also apply to situations outside the HAN campus in contacts with the professional field (e.g. internships and graduation assignments). The guidelines then only apply insofar as such situations affect the education or the interests of education at HAN.
8. The student is obliged to observe all safety regulations and provisions that are in force in the buildings and on the grounds occupied by HAN.
9. The student is obliged to behave in accordance with the instructions given by staff charged with the care of a clean environment in the buildings and on the grounds occupied by HAN.
10. In case a student behaves contrary to paragraph 1 to 4, any HAN staff member can instruct them to cease such behaviour.
11. In case the student does not comply with the instruction referred to in paragraph 10, any HAN staff member can instruct the student to leave the buildings and grounds of HAN.
12. The staff member who gives the instruction referred to in paragraph 11 immediately reports this to the dean or to the school manager responsible for the relevant degree course.

#### **Article 4 Additional provisions on student behaviour during lectures**

1. To attend a lecture, the student must be present in the classroom at the starting time of the lecture in question.
2. If a student appears at a lecture after the starting time, the lecturer is authorised to refuse the student access to that lecture.
3. In case of violation of article 3 paragraph 2 and/or paragraph 3, the lecturer may instruct the student to cease their behaviour. If the student does not comply with this instruction, the lecturer may instruct the student to leave the classroom.
4. In the case referred to in the last sentence of paragraph 3, the lecturer immediately reports the incident to the dean or the school manager responsible for the degree course in question.

#### **Article 5 Additional provisions on student behaviour in the practical rooms**

1. The student is in any case obliged to:
  - a. use the equipment with due care and leave it in its correct state;
  - b. put the furniture back in place after use;
  - c. put paper in the special waste paper bins or take it with them; and
  - d. report to the practical training instructor or Service Desk staff when a device is defective or does not function properly.
2. In any case, it is forbidden for students to:
  - a. be under the influence of narcotics or stimulants, unless it can be shown that they have been medically prescribed. If a student has used such substances or any other substance that may influence their behaviour, this must be reported to the practical training instructor or other staff member;
  - b. move the equipment;
  - c. make changes to the hardware, software and stored files;
  - d. copy software and files without the permission of the practical training instructor or other staff member; and
  - e. use their own software without the permission of the practical training instructor or other staff member.
3. In the event of violation of the provisions of paragraph 1 and/or paragraph 2 of this article and/or article 3 paragraph 2 and/or paragraph 3, the practical training instructor, Service Desk staff member or other staff member may instruct the student to cease their behaviour. If the student does not comply with this instruction, the staff member concerned may instruct the student to leave the practical room.

4. In the case referred to in the last sentence of paragraph 3, the staff member concerned immediately reports it to the dean or the school manager responsible for the degree course in question.

**Article 6 Additional provisions on student conduct in the exam locations**

1. Exams lasting longer than two and a half hours may deviate from the ban on eating and drinking set out in article 3 paragraph 3.
2. It is prohibited to violate any of the provisions in the applicable EER or the applicable degree statute regarding exams and exam locations and the conduct during exams and at exam locations.
3. In the event of violation of the provisions of paragraph 2 of this article and/or article 3 paragraph 2, paragraph 3 and/or paragraph 4, the coordinating supervisor or other staff member may instruct the student to cease their behaviour. If the student does not comply with this instruction, the staff member concerned may instruct the student to leave the exam location. In that case, the staff member records this in the official report of the exam session.
4. In the case referred to in the last sentence of paragraph 3, the staff member concerned immediately reports to the dean or the school manager responsible for the relevant degree course.

**Article 7 Provisions on student conduct during off-campus educational situations**

1. The student must behave calmly and appropriately during off-campus terms at the relevant organisations/institutions/companies.
2. During the off-campus term, the rules of conduct of the organisation/institution/company apply to the student in addition to the provisions of this code.
3. In those cases where both the company's/organisation's/institution's code of conduct and this code contain provisions on the same subjects, the company's/organisation's/institution's code of conduct applies.
4. In any case, it is forbidden for students to:
  - a. jeopardise safety;
  - b. behave in violation of the rules of propriety also described in articles 8, 9 and 10, applied to the company/organisation/institution; and
  - c. use the company's/organisation's/institution's means of communication for personal purposes without the explicit permission of the workplace supervisor.
5. The student is obliged to observe all safety regulations and provisions applicable in the buildings and on the grounds of the company/organisation/institution.
6. The student is obliged to behave in accordance with the instructions given by the staff of the company/organisation/institution who are responsible for the care of a clean environment in the buildings and on the grounds of the company/organisation/institution.
7. In case a student behaves contrary to paragraphs 1 to 6, any staff member of the company/organisation/institution may instruct the student to cease this behaviour. If the student does not comply with this instruction, the workplace coordinator can instruct the student to leave the buildings and grounds of the company/organisation/institution.
8. The workplace coordinator who gives the instruction referred to in the last sentence of paragraph 7 immediately reports to the dean or the school manager responsible for the relevant degree course.
11. The school manager concerned may request the dean to take action on the basis of chapter 7 of the Student Charter. The dean can also decide on this independently.
12. If it becomes known after the off-campus term that a student's conduct was in violation of this code, measures can still be taken based on this code within a reasonable period of time after the conduct became known.

**Article 8 Loss, damage, destruction, duplication**

1. The student will use the equipment, objects, computer facilities etc. owned by HAN or third parties in accordance with their given purpose.
2. The student will take the necessary care when using the property of HAN or third parties.
3. In case of loss, damage or destruction of the property of HAN or third parties due to the fault of the student, the resulting damage will be recovered from the student in question.

4. In case of loss, damage or destruction of the property of HAN or third parties due to the fault of the student, the dean can take a measure as set out in article 11 paragraph 3. Article 11 paragraphs 4 to 6 are applicable in this respect.
5. HAN is not liable for loss, damage or destruction of the property of students or visitors.
6. The student is obliged to comply with the regulations concerning the copying of copyrighted works, including software.
7. If the student duplicates educational materials made available by HAN that are protected by copyright, such as readers and syllabi, the resulting damage will be recovered from the student in question.
8. Copying, deleting or changing hardware, software and files can lead to legal proceedings instituted by the software supplier or HAN. Claims filed with HAN because of a copyright infringement committed by the student will be recovered from the student concerned.
9. In case of duplication of educational materials made available by HAN that are protected by copyright, such as readers and syllabi, the dean can take a measure as set out in article 11 paragraph 3. Article 11 paragraphs 4 to 6 are applicable in this respect.

### **Article 9 Sexual harassment, aggression and discrimination**

1. The student should behave in accordance with the rules of propriety, or behave in such a way (by which is meant acts and/or omissions) that their behaviour cannot reasonably be experienced as injurious, insulting or offensive by others.
2. For the regulations on complaints about sexual harassment, aggression and violence, bullying and discrimination, see the Regulations for Complaints about Unacceptable Behaviour.
3. In addition to the procedure as included in the Regulations for Complaints about Unacceptable Behaviour, a student may submit a written request to the Netherlands Institute for Human Rights to investigate whether an unjustified distinction has been made or is being made.

### **Article 10 Offences**

If students are suspected of committing an offence, apart from implementing these regulations, the suspected offence may also be reported, which could have consequences governed by criminal law.

### **Article 11 Measures**

1. In case of violation of article 2 paragraph 1, article 3 paragraphs 1 to 5, article 4 paragraph 1, article 5 paragraphs 1 to 2, article 6 paragraph 2 or article 7 paragraphs 1 to 6, the dean can take a measure as set out in article 11 paragraph 3.
2. If a student does not comply with the instruction to leave, as set out in article 2 paragraph 6, article 3 paragraph 7, article 4 paragraph 3, article 5 paragraph 3, article 6 paragraph 3 and article 7 paragraph 7, or if article 7 paragraph 12 applies to the student, the dean can take measures as set out in article 11 paragraph 3.
3. The dean can apply the following measures:
  - a. warning;
  - b. reprimand;
  - c. denial of access to certain classes or other specified areas of education for a maximum period of one year;
  - d. denial of the use of indicated facilities for a period not exceeding one year;
  - e. denial of access to certain buildings and grounds occupied by HAN for a maximum period of one year;
  - f. denial of access to all buildings and grounds occupied by HAN for a maximum period of one year;
  - g. declare invalid the off-campus term in which the conduct took place;
  - h. terminate the enrolment for a period not exceeding one year;
  - i. permanently deny entry to the school or permanently terminate the enrolment. This measure can only be taken if the student has caused a serious disturbance within the buildings and grounds of the institution and the student has not ceased the disturbance even after a reminder by or on behalf of the dean; or
  - j. revoke the enrolment if the student provided incorrect information at the time of enrolment.
4. Before the dean decides to take measures as referred to in article 11 paragraph 3, the student is given the opportunity to explain their point of view within the framework of a hearing. The student

may be assisted by a counsellor, with due observance of the provisions of article 7.4 paragraph 5 of the Student Charter.

5. The dean's decision to take measures will be communicated to the person concerned in writing, stating the reasons for the decision, within 14 working days after the decision has been taken. The decision will enter into force from that time. A copy of the decision will be sent to the Department of Legal Affairs.
6. In situations requiring an immediate arrangement, the dean may decide to deny a student immediate access to certain lectures, facilities, buildings and grounds or all buildings and grounds or to interrupt the off-campus term with immediate effect.  
Within one week after this decision, the dean decides on the measure to be taken in accordance with article 11 paragraph 3, with due observance of article 11 paragraphs 4 and 5.

#### **Article 12 Arrangement by the dean in unforeseen cases**

In cases not provided for in these regulations, the dean will decide. The latter may take measures as referred to in article 11 paragraph 3. Article 11 paragraphs 4 to 6 are applicable in this respect.

#### **Article 13 Obligation to consult and report sexual offences**

1. If the Executive Board has by any means become aware that a person charged with tasks on behalf of HAN may be guilty of or has committed a sexual offence as referred to in Title XIV of the Criminal Code against an underage student of HAN, the Executive Board will immediately consult with the confidential inspector referred to in article 6 of the Education Inspection Act.
2. If it must be concluded from the consultations as referred to in paragraph 1 that there is a reasonable suspicion that the person in question is guilty of a crime as referred to in paragraph 1 against an underage student of HAN, the Executive Board will immediately report this to an investigating officer as referred to in article 127 in conjunction with article 141 of the Dutch Code of Criminal Procedure, and the Executive Board will immediately inform the confidential inspector of this. Before the Executive Board proceeds to file a report, it informs the parents of the student concerned, respectively the person in question who is charged with tasks on behalf of HAN.
3. If a staff member has become aware that a person charged with tasks on behalf of HAN is possibly guilty of or has committed an offence as referred to in paragraph 1 against an underage student of HAN, the staff member will immediately inform the Executive Board.

#### **Article 14 Demonstrated unsuitability**

1. The Executive Board may decide in special cases, on advice from the board of examiners and after careful consideration of the relevant interests, to exclude a student for an indefinite period and to end or deny their enrolment if that student by their behaviour or utterances has shown they are unsuitable to work in one or more professions for which they are being/will be educated or to carry out the practical preparation for that profession.
2. If the student referred to in paragraph 1 is enrolled in another degree course that educates them for a specialisation that corresponds with or, in view of the practical preparation for professional practice, is related to the degree course from which they have been excluded, the student may also be denied the right to participate in education and take exams in that specialisation or other components of that degree course.

#### **Article 15 Proceedings for exclusion and termination of enrolment on grounds of demonstrated unsuitability**

1. The Executive Board has the authority to decide upon the refusal or termination of an enrolment as referred to in article 1.1 paragraph 1.
2. A decision as referred to in article 1.1 paragraph 1 must be preceded by advice from the board of examiners.
3. This advice can be given on the initiative of the board of examiners or on the basis of a report of seriously objectional behaviour or statements by a student during their degree course that are verified by a tutor, lecturer or examiner.
4. The advice is recorded in writing and supported by reasons.
5. The Executive Board will not proceed to exclude the student as referred to in article 1.1 paragraph 1 until a plausible case has been made that the student's behaviour and/or statements have demonstrated their unsuitability to practise one or more professions for which the degree course is educating or will educate them, or to take part in the practical preparation for that professional practice, and until it has carefully weighed all the interests and considered all the circumstances.

6. The student will be given the opportunity to attend a hearing prior to being excluded as described in article 1.1 paragraph 1.
7. The decision to exclude the student will be issued in writing and supported by reasons.
8. The decision is accompanied by a remedy clause to the effect that the decision to exclude is open to objection with the Disputes Advisory Committee.
9. Pending the inquiry into the possible exclusion of the student and/or pending the objection, the Executive Board may decide, on the advice of the board of examiners or otherwise, to impose temporary disciplinary measures, if justified by the circumstances.
10. Following a decision pursuant to article 1.1 paragraph 1, the relevant student's enrolment will be terminated on the first day of the month following the month in which the decision was made.
11. If a student's enrolment is terminated by virtue of the decision to exclude them as referred to in article 1.1 paragraph 1, that student or former student cannot re-enrol for the degree course or a related degree course from which they have been excluded as referred to in article 1.1 paragraph 2 unless they demonstrate to the satisfaction of the dean that they are no longer unsuitable.