

Procedure relating to reporting deficiencies in professional conduct

Article 1 - Procedures

1. The Iudicium Abeundi refers to the termination of, or the refusal of enrollment as a student or as an external student at the educational institution on the grounds of conduct and/or statements that render him or her unsuitable for the practice of the profession for which the Program is training. Background and details on this procedure are given in the national Protocol Iudicium Abeundi.
2. The procedures set forth in this Appendix (see Articles 2 through 16) shall be complied with in the event of observed serious deficiencies in professional conduct.
3. Only if the shortcomings or their repetition are of such a nature that they indicate a possible unfitness for professional practice shall the procedure concerning the Iudicium Abeundi come into effect (see Articles 10 to 16).

Article 2 - The first notification

If at any time during the Program a student, in the opinion of a lecturer/examiner, has demonstrated insufficient general skills required in contact with others, the lecturer/examiner in question will immediately inform the Program Director and the Examination Board of this in writing and with reasons. A note will be made in the portfolio of this student.

Article 3 - The file

The Examination Board takes note of the notification referred to in Article 2 and establishes a confidential file in connection with this notification.

Article 4 - The student's response

The Examination Board will inform the student, to whom the notification as referred to in Article 2 pertains, as soon as possible in writing and will give the student the opportunity to give his view in writing and/or orally on the contents of the notification.

A written view of the student is added to the file by the Examination Board. In case a oral view is provided by the student, the Examination Board will make a report of this view, which report will be presented to the student and - provided with his or her comments, if any - will also be added to the file by the Examination Board.

Article 5 – Measure of order of the Examination Board

If the behavior or remarks of the student are such that the given regulations and the measures taken with regard to the good course of affairs in the buildings and grounds of the institution have been violated, the Examination Board may, on the basis of Faculty or University Regulations, advise the faculty director, the Security Advisor or the Executive Board to take measures of order as a result of this first report, depending on the seriousness of the shortcomings or behavior described in that report and on the student's rebuttal. If necessary, the examination board may seek information from third parties in this regard or already appoint an independent evaluator at that time as described in Article 7.

Article 6 - A new notification

If at any time during the program the examination board again receives a notification as referred to in article 2 from one or more lecturer(s)/examiner(s) regarding the same student, the procedure described in article 3 up to and including 5 will be repeated.

Article 7 - Serious doubts about professional conduct

1. In case of serious doubts about student's professional conduct, the examination board may have the student temporarily suspend the study for the purpose of investigation or remediation.
2. If, in the opinion of the examination board, the nature of what has been stated in a report gives cause to do so, the examination board may seek the advice of an independent assessor as to whether the student may continue the study and, if so, under what conditions.

3. The independent assessor mentioned in paragraph 2 is appointed by the program director.
4. If the unprofessional behavior occurs outside the immediate educational setting, the dean may also ask the program director to appoint an independent assessor.

Article 8 - The procedure to be followed by the independent assessor

1. Before advising the Examination Board, the independent assessor shall hear the student and lecturer(s)/examiner(s) concerned, preferably in each other's presence.
2. In the interview(s) the independent assessor investigates whether, and if so in what way, the student will be able to solve the identified shortcomings.
3. The independent assessor will prepare a report of this interview(s), a copy of which will be sent to both parties and on which both parties may comment.
4. As soon as possible after hearing both parties, the independent assessor will submit a reasoned report to the Examination Board. The advice, with the attached documents, will be added to the file by the Examination Board.

Article 9 – The decision of the examination board

1. After completing its own examination and/or the examination by an independent assessor, the examination board shall discuss the conclusions of the examination with the student within three weeks.
2. During this meeting, the examination board also discusses with the student further steps to be taken, which includes that:
 - the student is allowed to continue the program, possibly under certain conditions or,
 - the student is required to successfully complete a remediation program before the study program can be resumed or,
 - the student is advised to choose another study program or,
 - the student is informed that the Iudicium Abeundi protocol will be instated (see article 10 and following).
3. After the discussion mentioned in paragraphs 1 and 2, the examination board will make a final decision within three weeks and sent this to the student in writing with further motivation.

Article 9 - The decision of the Examination Board

1. Within three weeks after receiving the independent evaluator's advice, the Examination Board discusses this advice with the student. Subsequently, the Examination Board will consider further steps. This may mean that the student is advised to choose another program, is required to successfully complete a remediation program or is notified that the protocol Iudicium Abeundi will be followed, see also article 10 up to and including.
2. The student will be notified of this in writing with reasons.

Article 10 - Notification of seriously reprehensible behavior and/or remarks - the Iudicium Abeundi Protocol

If at any time or at repetitive moments during the program a student has, in the opinion of a lecturer or examiner, demonstrated behavior and/or remarks that make him unsuitable for the later practice of the profession, or for the practical preparation for that profession, the lecturer or examiner in question shall immediately inform the examination board and the dean, giving reasons.

Article 10 - Notification of seriously reprehensible behavior and/or remarks - the Iudicium Abeundi Protocol

If at any time or at repetitive moments during the program a student has, in the opinion of a lecturer or examiner, demonstrated behavior and/or remarks that make him unsuitable for the later practice of the profession, or for the practical preparation for that profession, the lecturer or examiner in question shall immediately inform the examination board and the dean, giving reasons.

Article 11 - The Iudicium Abeundi dossier

1. The examination board takes good note of a notification mentioned in Article 10 and consults with the dean, in accordance with the national Protocol Iudicium Abeundi, on the procedure to be followed. If necessary, additional advice is sought from the independent evaluator referred to in Article 7.
2. If the notification relates to an educational situation as defined in the aforementioned Protocol, the examination board will create a confidential Iudicium Abeundi file in connection with this report and will subsequently act in accordance with the flow chart in the Protocol.
3. This file may be supplemented with any previous reports and subsequent procedures as mentioned in Article 3. If the report does not specifically relate to an educational situation, it will be handled by the Dean.
4. Also according to the Protocol Iudicium Abeundi, the dean will further handle the report according to the flowchart described there.
5. The treatment by the dean is analogous to the treatment by the examination board as further elaborated below in Articles 12 to 16.

Article 12 - The student's rebuttal

The Examination Board will inform the student about whom the notification as referred to in article 10 deals in writing as soon as possible and will offer the student the opportunity to clarify his or her vision on the notification orally in an interview with (members of) the Examination Board. A report of this interview will be presented to the student and - provided with his possible comments - added by the Examination Board to the file referred to in Article 11.

Article 13 - Possible order measure in connection with a notification

1. The Examination Board may decide, while going through the flowchart in response to a notification referred to in Article 10, to impose an order measure in accordance with Article 5.
2. The Examination Board may also decide, while going through the flowchart in response to a notification referred to in Article 10, to submit a request for the issuance of an Iudicium Abeundi, if and insofar as the nature of the challenged conduct and/or remarks by the student justifies this in the opinion of the Examination Board. This request is only submitted after obtaining the advice of the Dean and is addressed to the Executive Board.

Article 14 - Termination of the student's enrollment at the institution

The Executive Board may terminate the enrollment of a student, following the advice of the Examination Board or the Dean, if the steps in the protocol Iudicium Abeundi have been completed.

Article 15 - Decision-making Board of Governors

The Executive Board takes a decision, as referred to in Article 14, only after the student in question has been heard about the intended decision, after a careful weighing of all interests of the student and the institution has taken place, and after it has become plausible that a student, by his behavior and/or remarks, has demonstrated unsuitability for the practice of one or more professions for which the studies he has taken are preparing him, or for the practical preparation for professional practice.

Article 16 - Objection and appeal

A student whose interest is directly affected by a decision of the Executive Board may lodge an objection with the Disputes Advisory Committee (Geschillen Adviescommissie). If the student's objection is declared unfounded by the Executive Board, the student may appeal this decision to the Higher Education Appeals Board (College van Beroep voor het Hoger Onderwijs).