

Regulations for Programme Committee (PC) HZ



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Chapter 1: General provisions

Article 1 – Definitions

The following definitions are used in this regulation:

HZ:	Foundation HZ University of Applied Sciences, being the institution (college).
Executive Board (CvB):	HZ's Institutional Board, being the managing body of HZ, as described in HZ's articles of association and the WHW.
Cao HBO:	The Collective Labour Agreement for Higher Professional Education as agreed by the Vereniging van Hogescholen as it is currently in force or will come into force, including any annexes to the CAO.
Dispute Committee:	The Committee, within the meaning of art. 10.26 of the WHW.
Domain Director:	The officer appointed by Executive Board, who is responsible for the daily management of a domain, who is granted the requisite powers and given the requisite duties to perform that task.
Segment:	The staff or students within a Segment.
College Board:	The HZ's representative body (Hogeschoolraad), within the meaning of art. 10.17 of the WHW.
Course:	A collection of study units, aimed at the realisation of properly defined goals in the field of insight, knowledge and skills which the persons who complete the course are expected to have acquired, within the meaning of art. 7.3, section 2 of the WHW.
Programme Committee:	A committee for an academic programme, within the meaning of art. 10.3c of the WHW. Hereinafter also "PC"

Member of Staff:	An employee who has an employment contract with HZ.
Student:	Any person attending a course at HZ and who is registered with HZ in accordance with art. 7.32 and further of the WHW.
Trade Unions:	Parties who have negotiated and agreed the CAO HBO on behalf of the employees.
WHW:	The Dutch Higher Education and Research Act. (Wet op Hoger onderwijs en Wetenschappelijk onderzoek).

Article 2 - Institution Programme Committee

For each course or group of courses at HZ, the Domain Director appoints a Programme Committee (PC).

Article 3 - Composition

1. One half of the PC consists of members who are elected from and by the staff who are connected to the course, the other half consists of members who are elected from and by the students registered to the course.
2. There shall be at least six members in the PC. The Domain Director may decide that more members shall be appointed, up to a maximum of eight members.
3. Where a PC instated for a group of courses is concerned, the OC may choose to be composed of employees and students representing a cluster of courses.
4. In the event of (interim) vacancies in the PC, the provisions set out in article 32 of the present regulations shall apply.

Article 4 - Term of Office

1. The members of staff are elected to the PC for a term of three years, the students are elected to the PC for a term of one year.
2. The Term of Office for all members of the PC commences at the time the PC is instated after elections have been held.
3. If there is an interim vacancy being filled in accordance with article 32 of the present regulations, the Term of Office shall be in accordance with the provisions in article 32.
4. The PC's members can be re-elected without restriction or limitation, provided they meet the electability conditions (see Chapter 5 of the present Representation Regulations).

Article 5 - Termination of PC membership

The PC membership shall terminate if:

1. The Term of Office set out in article 4 of these regulations has elapsed.
2. A member is no longer part of the segment of the course he/she was elected to represent, as set out in article 4 of these regulations.
3. A written termination from a member of the PC addressed to the chairperson of the PC.
4. Appointment to a position within HZ which, under the WHW and/or these regulations, cannot be combined with membership of the PC.
5. The PC member being placed under curatorship as a private individual and/or the PC member's capital being placed under administration and/or the PC member being or becoming the subject of a Natural Persons Debt Restructuring Scheme.
6. Exclusion as a PC member in accordance with the provisions of article 7 below.
7. The relevant PC member becoming deceased.

Article 6 - Exclusion

In accordance with the provisions in the following subsections, the PC may, of its own accord, exclude a member.

1. If a PC member fails to meet requirements imposed under their membership of the PC, their membership may be revoked.
2. Such revocation can only occur with a majority of two-thirds of the valid votes, cast during a meeting that is attended by at least fifty per cent of the PC's members.
3. The vote on revocation shall be taken first, after the member concerned has been given the opportunity to be heard.

Article 7 - Replacement

1. If a member is absent for a prolonged period of time, the PC may decide to replace that member for the duration of their absence, albeit no longer than for the remainder of the Term of Office of the absent member.
2. During the replacement period, the member to be replaced shall be unable to exercise their PC-membership powers.
3. It is preferable that the replacement member is chosen from the most recent list of candidates for the relevant segment, whereby the candidate who received the most votes should be considered first to fill in the vacancy.

Article 8 - Confidentiality

1. The PC members are required to treat confidential all matters they gain knowledge of in their official capacity and which the Director or the PC has deemed confidential or which matters the members should reasonably suspect to be of a confidential nature.
2. The party imposing the duty of confidentiality, in doing so, also communicates which information, both verbal and written, falls within the scope of that confidentiality and for what amount of time that information should be kept confidential, as well as whether there are

persons towards which the confidentiality does not need to be observed.

3. The duty of confidentiality does not end with termination of membership to the PC, nor through termination of the relationship between the person involved and the HZ.

Article 9 - Services / Facilities

For the use of services and facilities, a separate document 'Programme Committee Facilities Regulations' has been prepared.

Article 10 - Legal Protection

The Domain Director ensures that the PC members shall not be unduly advantaged or disadvantaged as a result of their PC membership. This also applies with regard to candidate members and former members.

Chapter 2: PC's Working Method and General Duties and Powers of the PC

Article 11 - PC's daily management

1. Upon commencement of the Term of Office, the PC selects a chairperson and secretary from its members, as well as replacements for the chairperson and the secretary. The functions can be filled by either a member of staff or a student.
2. The chairperson shall represent the PC in legal matters.
3. In consultation with the Domain Director, the chairperson can draw up a planning and align the agenda.

Article 12 - Meetings and Reporting

1. In consultation with the Domain Director, the PC determines a meeting cycle in which the PC holds independent meetings as well as periodic meetings attended by the Domain Director.
2. The PC's meetings are public in principle, unless in the opinion of the PC's chairperson, the nature of the subject(s) to be discussed and/or the information provided, or to be provided, by the Domain Director are not suitable to that public nature.
3. The PC is responsible for publication of the meeting dates, meeting agendas, and reports within the course.
4. For each meeting the PC holds, a report is prepared.

Article 13 - PC's General Duties

1. The PC is charged with advising on improving and safeguarding the quality of the course(s).
2. The PC is also charged with the annual assessment of the teaching and examination methods within the course(s) (10.3c section 1, subsection b of the WHW).
3. Furthermore, the PC is charged with discussing the visitation report, within the meaning of 5.13 section 4 WHW (10.3c section 1 subsection f WHW).

4. The PC makes efforts to improve transparency and mutual consultation within its own course(s).
5. The PC makes every reasonable effort to help realise the objectives of its own course(s).
6. The members of the PC perform their activities unencumbered. In their activities, they shall focus on the interests, the goals, and the further development of their own course(s).

Article 14 - PC's General Powers

1. The PC is entitled to invite the Domain Director at least twice per annum, to discuss the proposed policy within the course(s) based on an agenda drafted by the PC. These meetings may take place in addition to or as part of the meeting times with the Domain Director, as stipulated in article 12. Parties shall meet as and when either party provides substantive reason to request a meeting.
2. The PC is entitled to advise the College Board at the Board's request or at the PC's own initiative, concerning all education-related matters pertaining to the relevant course(s). The PC sends such advice and proposals to the College Board for information. The Domain Director is required to respond to the proposal within two months, indicating how the advice is to be followed up on. If the Domain Director does not want to follow the advice (at all or not entirely), the PC will be given the opportunity to meet with the Domain Director for further consultation in the matter prior to a final decision being taken.
3. Included in the matters referred to in section 2 of this article is, at least, the area of quality improvements for the course(s). To that end, the PC shall use, among other things, the results of the evaluations that take place within the framework of quality assurance, in particular the student evaluations (course evaluations and student satisfaction surveys), self-evaluations and final accreditation reports.
4. Without being requested, the Domain Director, in a timely manner, provides the PC with all information the Domain Director deems reasonably required for the PC to adequately perform its duties and, if requested, the Domain Director also provides, in a timely manner, all information the PC deems reasonably necessary for the adequate performance of its duties.
5. Timely, as states in section 4, is given to mean at least 10 working days prior to a meeting, or within 10 working days after a request is received by the Domain Director. In the event of urgent interest, this timeframe may be deviated from.

Chapter 3: PC's Special Powers



Article 15 - Assessment Criteria Consultation and Consent Rights

1. The following assessment criteria apply to the PC's use of its advice and consent rights:
 - a. the Domain Director has carefully considered the relevant interests;
 - b. information has been provided in a timely and adequate manner;
 - c. the balance between the interests of students and staff within the course(s) has been reasonably considered.
2. Where adequate provision of information, as stated under 15.1.b, is given to mean all information, unrequested, which the PC reasonably requires for the adequate performance of its duties and all information, requested, which the PC deems it requires for the adequate performance of its duties.
3. Where timely provision of information, as stated under 15.1.b, is given to mean at least 10 working days prior to commencement of the meeting cycle as intended in article 12 of the present regulations. The information must be provided in writing, via the secretary, as much as possible.

Article 16 - Terms and Decision Process

1. Within a period of 6 weeks after receipt of the proposed decision by the secretary, the PC shall inform the Domain Director whether it consents to the proposed decision.
2. If the Domain Director, based on these regulations, presents a proposed decision for advice to the PC, the PC shall give such advice within 6 weeks after the proposed decision was received by the PC's secretary.
3. The timeframes set out in this article may be deviated if the parties agree such in writing. These timeframes are deviated from if and insofar as holiday periods fall within the prescribed period of six weeks. In case of urgent interest, the timeframe stated in sections 1 and 2 may also be deviated from.
4. Each PC member's vote shall carry equal weight. If decisions need to be voted on, a simple majority of votes shall apply, meaning fifty per cent plus one of the total number of PC members. This is only deviated from if such deviation is stipulated in the present regulations. If a decision cannot be taken by fifty per cent plus one of the total number of PC members, the PC must contact all absent PC members and voting may take place outside of meetings. In that event, the absent PC members may vote in writing (by e-mail) within two working days from the day on which the meeting took place.
5. If the PC withholds its consent or returns a negative advice, the proposed decision – with or without modification – shall be presented to the PC a second time. In that event, the PC shall inform the Domain Director in writing, within six weeks of receipt of the modified proposed decision by the secretary of the PC, as to whether the PC in second instance consents or in the alternative, gives a positive advice

for the proposed decision. If the outcome is negative in second instance as well, the provisions concerning Dispute Resolution, set out in Chapter 4 of these regulations, shall apply.

Article 17 - PC's Right of Consent

1. The Domain Director requires the PC's prior consent for any decision, to be taken by the Executive Board or the Domain Director (at educational level), which concerns determining or amending the teaching and examination regulations of the course(s) regarding the subjects, within the meaning of article 7.13 of the WHW, second section, under a1, b, c, d, e, g, and v (art. 10.3c section 1 subsection a WHW).

Article 18 - PC's Right of Consultation

1. The Domain Director requires the PC's prior advice for any decision, to be taken by the Executive Board or the Domain Director (at educational level), which concerns determining or amending the teaching and examination regulations of the course(s), within the meaning of article 7.13 of the WHW, with the exclusion of the subjects in regard to which the committee, on grounds of article 17 of these regulations, has a right of consent.
2. The Domain Director also requires the PC's prior advice on the year planner for their course (programme plan), including with regard to the allocation of student loans advances for the purpose of quality improvement in education under the Agreements Concerning Quality 2019-2024, version dated 29 October 2018.

Chapter 4: Dispute Resolution

Article 20 - The Arbitration Committee

HZ is a member of the Landelijke Commissie voor geschillen medezeggenschap Hoger Onderwijs (National Committee for Dispute Codetermination Higher Education) in Utrecht.

Article 21 - Dispute Procedure: Internal Procedure

1. If the Domain Director's proposed decision does not obtain the required consent or is not met with a positive advice (even at second instance, see article 16, section 5 of the present regulations), an internal dispute is deemed to have arisen as of that moment. For disputes pertaining to the Right of Consultation, the implementation of the proposed decision is postponed by four weeks, unless the PC does not object against the immediate implementation of the decision. For disputes pertaining to the Right of Consent, the implementation of the proposed decision is postponed, at the latest, until the external national arbitration committee (see article 22 of the present Representation Regulations) has adjudicated the matter.
2. An internal dispute is presented before the Executive Board and the College Board. The Executive Board and the College Board initially attempt to resolve the internal dispute through mediation between the Domain Director and the PC.
3. If the mediation attempts, within the meaning of the second section of the present article, is unsuccessful, the Executive Board and the PC shall jointly determine that the internal dispute is to be filed with the internal arbitration committee, which must be formed specially to handle the specific dispute.
4. An internal arbitration committee consists of three members: one member appointed by the Executive Board and one member appointed by the College Board. These two members jointly appoint a third member as the committee's chairperson. Members of the Executive Board, the Domain Director, and the members of the relevant PC cannot be a member of the internal arbitration committee.
5. Within one week after the unsuccessful conclusion of the mediation attempt, within the meaning of section 2, and the decision to file the dispute with an internal arbitration committee, the Executive Board and the College Board must each appoint one member to the committee. The appointed duo must subsequently appoint the third member as the committee's chairperson within one week thereafter.
6. The internal commission may request experts to assist and advise.
7. The internal committee then gives its judgement within four weeks after the dispute has been filed and informs the Executive Board and the College Board of its decision.
8. The Executive Board and the College Board may jointly decide to apply deviating timeframes.
9. The internal commission gives a strong recommendation.

10. The internal commission is dissolved after it has given its judgement concerning the dispute.



Article 22 - Dispute Procedure: External Procedure

1. After the internal arbitration committee, in accordance with article 21 of the present Representation Regulations, has given its serious recommendation, the arbitration committee, within the meaning of article 20 of the present Representation Regulations, is informed of the disputes between the Domain Director and the PC. The Executive Board or PC respectively, must, within one week after receipt of the serious recommendation made by the internal committee, have presented the dispute to the national external arbitration committee.
2. The national arbitration committee initially seeks to come to an amicable resolution. If this is unsuccessful, the national arbitration committee shall give a binding judgement.
3. So long as the external national arbitration committee has not given its judgement concerning the right of consent, implementation of the Domain Director's decision to which the dispute pertains cannot proceed.
4. If the dispute pertains to a Right of Advice, the implementation of the proposed decision is postponed by four weeks, unless the PC does not object to immediate implementation of the decision (see also art. 21 section 1). The four-week period starts on the date on which the PC receives the proposed decision.

Chapter 5: Elections

Article 23 - Electable and Eligible to Vote

1. Electable as member of the staff segment of the PC are those who, on the day of candidacy announcement, have been employed by HZ for at least one year, are working for HZ on a secondment basis for at least 0.4 FTE, are not a member of HZ's Executive Board and do not hold the position of Domain Director.
2. Eligible to vote are those who, based on an employment agreement, are employed by HZ, are working for HZ on a secondment basis, are not a member of the Executive Board, and do not hold the position of Domain Director.
3. Electable as members of the student segment of the PC are those who, on the day of candidacy announcement, are registered as a student with HZ in accordance with article 7.32 and further of the WHW, where PC elections are being held.
4. Eligible to vote are those students who, on the day of the elections, are registered as students to a course provided by HZ, in accordance with article 7.32 and further of the WHW, which course falls within the scope of the PC for which elections are being held.
5. Members of the College Board can, in principle, not be members of the PC. Only if there are no members of staff or students standing as candidates for elections, can the staff or student segment of the College Board stand in to temporarily perform the duties of the PC.
6. The PC's student members are elected directly by students from their respective course.
7. The PC staff members are elected directly by the staff of the respective course.

Article 24 - Election Procedures

1. The committee itself is responsible for managing the election of members to the PC.
2. The PC is tasked with managing the election of the members of the PC, observing the provisions in these regulations for programme committees.
3. The PC determines the outcomes of elections and publishes those outcomes.

Article 25 - Election Date

The PC sets the date for the elections as well as the start and end times for voting, the location(s) where votes can be cast and the method by which voting takes place. The elections shall not take place sooner than six weeks prior to and no later than two weeks after the current Term of Office. The PC announces the election date to the director and all those eligible to vote within the course/academy.

Article 26 - Candidacy Announcement

1. Candidacy announcement takes place via submission of a candidacy announcement form to the current PC, at the latest four weeks prior to the elections. The PC provides a date-stamped proof of receipt.
2. With the list of candidates, a written and signed declaration is provided for each candidate listed, in which the candidate stipulates they accept their candidacy.
3. The candidacy announcement form for the PC must contain declarations and signatures from at least five persons from the relevant course, who are eligible to vote, stipulating that they support the candidacy.

Article 27 - Candidacy Investigations

1. The sitting PC investigates whether the candidates meet the legal requirements and the requirements under these regulations for programme committees.
2. The sitting PC shall declare invalid any candidacy which does not meet the requirements referred to in the preceding section and shall immediately inform the party involved and the Domain Director of that decision in writing.
3. By the latest three weeks before the election date, the sitting PC prepares a list of candidates, to be composed in accordance with the regulations.
4. If there are no more candidates than the number of available seats, the candidates shall by default be deemed elected to a seat on the PC. In that event, no elections shall take place. This is determined for both the staff segment and the student segment. It is therefore possible that elections take place for the staff segment but not for the student segment or vice versa.
5. The sitting PC will provide digital copies of the list to all those eligible to vote for the relevant course, by the latest three weeks prior to the election date.

Article 28 - Voting Procedure

1. On the election date, the sitting PC, or another party acting on its behalf, sends a link to the (digital) election programme to every person within the course who is eligible to vote, containing the list of candidates.
2. Every person eligible to vote casts one vote for one candidate from their own segment.
3. It is not possible to vote by proxy.

Article 29 - Valid and Invalid Votes

1. After voting time has ended, the sitting PC determines the number of valid votes cast for each of the candidates.
2. Invalid are those (digital) ballots:
 - a. which were not issued by or on behalf of the PC;
 - b. which do not clearly stipulate the vote of the eligible voter;
 - c. which contain more than one vote;
 - d. on which anything is deleted or struck through.

3. The ballots used, will be stored by the PC for at least three months.



Article 30 - Election Result

1. Elected is the candidate with the highest number of votes to their name.
2. If there is more than one candidate with the same number of votes for the final seat, the seat is awarded by drawing lots. The drawing is held by the sitting PC.
3. The result of the elections is determined by the PC and published in writing to all candidates, the Domain Director and by way of general publication to the staff and students of the course.
4. If there aren't enough candidates, one or more seats remain empty, unless the PC decides to organise further elections to fill the empty seat(s).
5. After the elected candidates have been awarded their seats in the PC, any remaining candidates are placed on a reserve list. The order on the reserve list is determined based on the number of votes that each of the reserve candidates obtained.

Article 31 - Objections

1. Against a decision by the PC concerning:
 - a. determining the date of the elections and the times for the start and end of voting;
 - b. the preparation of the overview of persons eligible to vote and/or electable;
 - c. the validity of a candidacy announcement;
 - d. the determining of the result of the elections;any party who has an interest can file a written objection with the PC within two weeks after announcement of the decision to which the objection pertains.
2. The PC makes its decision concerning the objection without delay and in writing, with statement of reason(s), and takes measures if needed, in accordance with its decision. The PC's decision is binding.

Article 32 - Interim Vacancies

1. In the event of (an) interim vacancy (or vacancies) in the PC, the PC appoints as success for the relevant member, that person who, according to the determined and fully published result of the most recent elections, has the best claim (based on the reserve list).
2. The appointment occurs within four weeks after the vacancy arises.
3. If the candidate refuses to fill the vacancy, the next candidate on the reserve list, according to the most recent elections, becomes eligible. The refusing candidate retains their rights and eligibility for the fulfilment of any subsequent vacancies during the Term of Office.
4. If no successor, as intended in the first section, is available, the vacancy shall be filled by holding interim elections, unless there are less than three months remaining in the Term of Office.
5. The person(s) who, in accordance with the previous sections of this article, fills the vacancy, shall resign when the Term of Office for the member they are replacing would have ended.

Chapter 6: Final provisions

Article 33 - Unanticipated Circumstances

In events, in connection with the subjects for which these Regulations for Programme Committees provide, for which the regulations do not provide, the Executive Board (at the request of the Domain Director) shall advise the College Board on how to resolve the relevant situation. The Executive Board decides on the matter based on the advice given.

Article 34 - Determining and Amending Regulations

1. The Executive Board shall present these Representation Regulations for Programme Committees, including any changes and amendments thereto, as a proposed decision to the College Board for consent.
2. The College Board can (at the PC's request) make proposals for changes to these regulations for programme committees to the Executive Board.
3. The decision for determining or amending these Representation Regulations for Programme Committees requires a simple majority of the members of the College Board, being fifty per cent plus one.
4. Notwithstanding the provisions in the first section, the Executive Board shall consult with the College Board about the contents and applicability of these regulations for programme committees every five years. The choice of representation system cannot be amended within five years of a representation system being decided upon.

Article 35 - Short Title

These regulations may be referenced as "Regulations Programme Committees (PC) HZ".

Article 36 - Effective Date

1. These regulations for programme committees come into force on the day following the day on which the Executive Board has determined the regulations with the consent of the College Board.