

## **HZ profiling fund regulations**

The Executive Board of HZ University of Applied Sciences Foundation.

Having regard to the stipulations contained in Articles 7.51 to 7.51j of the Higher Education & Research Act (Whw).

Having regard to the agreement with the employee participation body.

Adopted the following HZ profiling fund regulations.

## HZ profiling fund regulations

### HZ Foundation

#### Article 1. Definitions

Definitions for the terms used in the regulations:

1. **HZ**: the HZ University of Applied Sciences foundation
2. **Executive board**: the HZ executive board
3. **Student**: person registered at HZ as referred to in part 3 of chapter 7 of the Higher Education and Research Act (WHW).
4. **WHW**: the Higher Education and Research Act
5. **Parties concerned**: a person who requests financial support and/or additional support as referred to in the regulations
6. **WSF**: Student Finance Act 2000

#### Article 1a. Scope

- 1a.1 These regulations apply to two categories of student:
- (i) students registered before 1 September 2015 for a full-time or dual degree programme at HZ and paying the statutory fees, and before 1 September 2015 received their first student finance (this is a 'performance-related grant' of which a basic grant forms a part) for a higher education degree programme (n)<sup>1</sup>
  - (ii) students eligible for the student loan system. In other words: students who after 31 August 2015 for the first time received a 'performance-related grant for higher education' for following a degree programme that comes in the form of a public transport product, an additional grant, or a single parent family allowance.

#### Article 2. Financial support for students

- 2.1 Where an HZ student incurs or anticipates delays in the progress of their studies because of exceptional circumstances, the executive board can make financial provisions.
- 2.2 In special circumstances, and as referred to in the first paragraph:
- a. membership of a board of any size of student organisation that has full legal capacity and is recognised by the executive board, a degree programme committee, or an employee participation body
  - b. administrative or social activities that in the opinion of the executive board are in the interests of HZ, or the degree programme taken by the student
  - c. illness or pregnancy and childbirth
  - d. disability or chronic illness
  - e. special family circumstances
  - f. an insufficiently practical degree programme

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<sup>1</sup> Students who before 1 September 2015 were registered for a bachelor's degree programme and have received student finance, retain the right to the basic grant for the duration of the bachelor's degree programme.

- g. other reasons given by the executive board with respect to special circumstances involving a student, including for example top class sport<sup>2</sup>
  - h. other than in the circumstances referred to at items a to g above, where an application for financial support based on these details would be rejected by the university board, which would therefore lead to a case of unfairness
- 2.3 The executive board provides financial support to students registered at HZ for a degree programme for which accreditation is not granted twice, so that the student cannot apply for student finance again.

### Article 3. Stipulations for financial support

- 3.1 A student is only eligible for financial support as referred to in Article 2, provided that:
- a. the student is due to pay the statutory fees for the degree programme in question, and
  - b. (i) for students coming under (i) at Article 1a.1: the student who claims, or has already claimed the performance-related grant (including the basic grant) for the degree programme as referred to in chapter 5 of WSF (provided before 1 September 2015)
  - (ii) for students coming under (ii) at Article 1a.1: the student claims or has already claimed the performance-related grant for higher education (including public transport product) valid after 1 September 2015 in connection with taking the degree programme - in both cases during the period in which the delay occurred.
- 3.2 The executive board can provide financial support to a student registered at HZ for a degree programme for which no marks have been awarded thus far, and where the student has not yet been assigned to a group of people, as referred to in Article 2.2 of the WSF, nor does the student have Surinamese nationality.
- 3.3 The executive board can provide financial support to a person not registered at HZ, but if they were to be registered at HZ, they would be eligible to claim a form of student finance as referred to in Article 5.2 of the WSF.
- 3.4 The financial support as referred to in the previous paragraph of this Article:
- a. takes the form of an agreement and:
  - b. is provided for a period of one year
  - c. is provided for a party concerned who in the opinion of the executive board carries out activities in a administrative or social area that is in the interests of HZ and is of a non-commercial nature, and,
  - d. it contains a stipulation whereby the person for whom the provision is made, has access to the facilities at HZ - not being the degree programme itself.

### Article 4. Size of the financial support

- 4.1 Financial support amounts to €200 per month for each month in which the delay occurred (and under the conditions determined by the executive board, and also based on Article 6.4 of these regulations).

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<sup>2</sup> At the time of the changes to these regulations being adopted on 20 October 2015, the executive board has still not invoked this Article, and therefore had not drawn up a list of special circumstances as referred to in the Article at 2.2, item 'g'. Top class sport is therefore not a special circumstance that has the right to apply for student profile funding. If this does occur, then it will depend on the circumstances of a specific instance and be assessed per application.

## Article 5. Application for financial support

- 5.1 Parties concerned who find themselves in special circumstances as referred to in Article 2 can apply for financial support from the executive board until 31 December of that academic year following on from an academic year in which the delays occurred because of special circumstances. A special form issued by the executive board must be used for this purpose.
- 5.2 An application for financial support should be accompanied by items of evidence from which the special circumstances can be explained. In all cases the following evidence should be produced:
- a. in the case of Article 2, paragraph 1, at a: proof of membership
  - b. in the case of Article 2, paragraph 1, at b: evidence of executing these activities in an administrative or social area, from which it is clear that the interests of HZ or the degree course taken by the student are served.
  - c. in the case of Article 2, paragraph 1, at c and d: a doctor's, paramedic's or official behaviourist's certificate, showing the period in which the special circumstances took place and clearly demonstrating that these circumstances directly or indirectly caused the delay in the degree programme.
  - d. in the case of Article 2, paragraph, 1 at e: written evidence from which the special family circumstances are demonstrated
  - e. in the case of Article 2, paragraph 1, at f: evidence demonstrating that it is an insufficiently practical degree programme
  - f. in the case of Article 2, paragraph 1, at g and h: documents from which the circumstances referred to appear
- 5.3 Parties concerned must also provide the following with the application:
- a. If applicable, a declaration from the academy director in which the actual delays incurred can be shown, having regard to the degree programming
  - b. a declaration where the length of the period of special circumstances is seen
  - c. discussion of the relevant notification by the Education Executive Agency (DUO)
  - d. providing details of their financial situation and an explanation of why the application has been made for profile funding and why it is more appropriate than other ways of financing the degree programme<sup>3</sup>

## Article 6. Decision

- 6.1 The executive board makes its decision regarding the application for financial support via student profile funding within six weeks of receiving the application.

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<sup>3</sup> The Ministry of Education assumes that from 1 December 2015 students will contribute more (invest) towards their degree programmes. This emerges from the so-called memorandum of reply for the Student Loans Act (Upper House of Parliament, session year 2014-2015, 34,035, D, p. 23/24): "With the basic grant disappearing shortly, the personal contribution for higher education studies will be greater. Students can deal with this greater contribution in a number of different ways. They can use savings, borrow money from DUO, work longer, ask parents to help out, live at home longer, or try to complete studies in a shorter time. Whichever of these options students take, will depend of the specific situation of the individual student. It is anticipated that a combination of the different options will be undertaken. It may be that some students opt for working longer, or scaling back on extra curricular activities, or a combination of both, but it cannot predicted precisely what the effect will be." Therefore when making an application, students must motivate there reasons why (a combination of) the above-mentioned options are not possible and/or cannot be demanded of the student.

- 6.2 The executive board can give the party concerned a hearing, where it considers it necessary for obtaining additional information.
- 6.3 Regarding the application for financial support, the executive board makes its decision based on one of the following clear lines of reasoning:
- a. the application is inadmissible
  - b. admissible statement and wholly or partly allowing the application
  - c. admissible statement and rejection of the application
- 6.4 The executive board takes the following viewpoints when making its decision:
- (i) the maximum period over which the financial support is provided does not exceed twelve months (12), even when the period of the special circumstances, or the actual length of the delay of their studies exceeds this amount.
  - (ii) where an application occurs because of delays experienced in studies through disability or chronic illness, the party concerned will be eligible for financial support after they have been assigned an extra year of student finance as referred to in Article 5.6 paragraph 10 WSF 2000
  - (iii) the party concerned must use their full rights based on student finance as referred to in Article 2.2 c to h, of these regulations, including an application for an additional grant
  - (iv) with respect to the same special circumstances (as summarised in Article 2.2), the party concerned may only apply once for the maximum financial support
  - (v) the party concerned must do, and have done, everything possible to restrict any delays in their degree programme
  - (vi) the party concerned must actually study and achieve a specific level of performance during the period of receiving financial support - if this is not so, then the financial support awarded must be repaid (if necessary pro-rata in accordance with the decision of the executive board). A guideline for this is achieving a degree programme performance of 75% of the nominal credits, except where the party concerned cannot be expected to achieve this percentage because of the continuation of the special circumstances.
  - (vii) as soon as student is expected to run into delays in their degree programme on account of special circumstances, they must immediately, or at least within two months of the special circumstances occurring, report to the student counsellor when it is clear that the special circumstances will continue for longer than one month (delay in studies > 5 ECTS), this is in order to discuss measures that may be taken to limit the potential delays as far as possible<sup>4</sup> and also the possibility of stopping (also temporarily) the student finance, or registration - reporting this later has resulted in payments not being made for delays in studies that have accumulated in the period prior to a period of two months before reporting
  - (viii) agreements with counsellors, student psychologists, career counsellors (SLC) and other parties must be observed and their recommendations followed

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<sup>4</sup> There must be a demonstration of "responsible student conduct" from the party concerned: this means that a student who undergoes delays in their studies must do everything possible to limit the level of delay. HZ provides student counselling, help with planning and where necessary, special facilities. Students undergoing delays in their studies through special circumstances must also make full use of the counselling and facilities when they want to apply for this financial support scheme. The counsellor notification requirement extends to this Article. Along with the counsellor (and/or SLC or others), measures are discussed that are necessary for preventing the delays in studies increasing unnecessarily.

(ix) where it can be predicted that the party concerned is unable to fully participate in the degree programme as a result of the circumstances referred to in Article 2.2, c to h, and over a longer term, a condition of support is that they observe the recommendations given by student counsellors, careers counsellors or student psychologists in order to cancel the use of the student finance - if it mainly concerns a temporary cancellation based on the nature, seriousness and anticipated duration of the special circumstances, the rejection of the application for financial support is contained in the reason given (the basic principle applies whereby this category of student can in the meantime register for (pro-rata) payment of the statutory fees (only applies to EEA students).

(x) the maximum period of financial support for delays caused by pregnancy is 4 months

(xi) delays of less than one month (5 ECTS) are not awarded financial support

(xii) the circumstances that caused the delay must occur within a period in which there was a right to a performance-related grant (as referred to in chapter of 5 WSF 2000)

(xiii) the period of financial support with respect to administrative activities depends on the work load associated with the function - as a guide, a maximum of 1 year (or longer) of committee membership can lead to 6 month's support (6 months of committee membership leads to a right of 3 months of support, etc.)

(xiv) insofar as the administrative activity has already lead to exemption of credits for part of the degree programme, an equivalent proportion of the delay will be deemed to be compensated

6.5 If the application is submitted outside the period as referred to in Article 5, paragraph 1, it will be inadmissible as a result of exceeding the decision deadline.

6.6 The executive board informs the party in writing regarding the decision concerning the provision of financial support, where:

a. the amount and any additional support as referred to in Article 4, paragraph 2, is stated separately

b. an announcement is made regarding whether the financial support will be paid as a lump sum, or in monthly instalments

c. always, except in the case of Article 3, paragraph 3, if an additional stipulation is included whereby the party actually studies at HZ

d. it is ascertained that any taxation, social security premiums and other levies associated with the financial support are paid by the party in question and not HZ

e. it is ascertained that in the case of special circumstances as referred to in Article 2, paragraph 1, at a and b, whether the financial support is reduced by any fees for memberships or activities

6.7 The executive board can impose on the party concerned stipulations other than those stated in the previous paragraph of this article when awarding financial support.

#### Article 7. Objections

7.1 The party concerned can object in writing against the decision made by the executive board within six weeks after the date of the decision.

The letter of objection should be addressed to the executive board and submitted to the HZ facility.

7.3 The HZ facility confirms receipt of the letter of objection to the sender and then immediately sends it on to the executive board once the date of receipt is recorded.

7.4 A letter of objection submitted immediately to the executive board by the party concerned is initially dealt with following intervention by the HZ facility.

7.5 The regulations as referred to in the legal protection for students and the Intranet regulations at HZ, also apply to the letter of objection.

Article 8. Other

The executive board administers the financial support granted using the citizen service number of the party concerned, as well as the amount awarded, and the amount of any additional support is reported separately.

Article 9. Final stipulation

- 9.1 These regulations came into force on 12 April 2011, bearing in mind any modifications introduced since that date.
- 9.2 These regulations are also published on the HZ website.
- 9.3 The regulations can be found at "Reglement profileringsfonds HZ" [HZ profiling fund regulations]