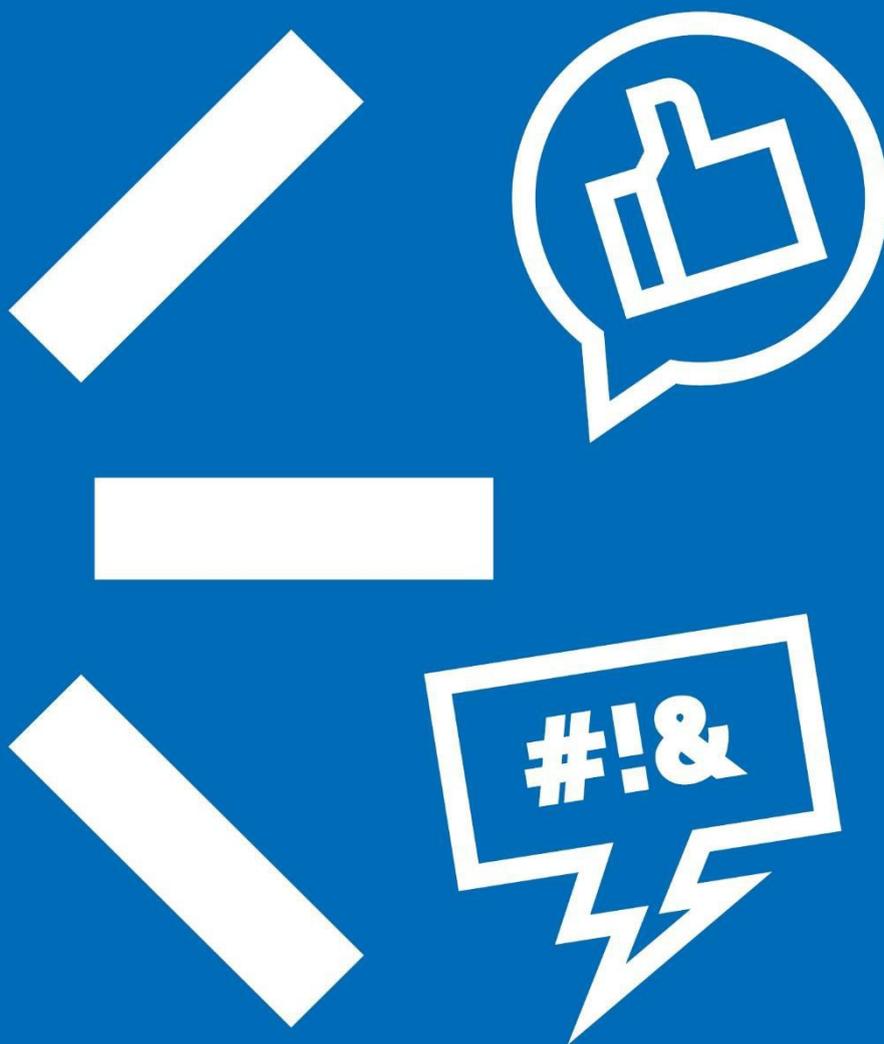


# Student Participation Regulations

Approved by the General Student Council on 14/05/2020



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# Title 1. Introduction

With these Student Participation Regulations, HOGENT wants to strengthen its commitment to student participation and involvement. They regulate the organisation of student participation and implement the provisions of the participation regulations referred to in Article II.332. of the Codex of Higher Education.

This document was drawn up in consultation with the student representatives and approved by the General Assembly of the Student Council on 14/05/2020 and the Executive Council on 03/07/2020.

# Title 2. Glossary

## **General Student Council (ASR)**

The General Student Council (ASR) is the student council at the level of the institution, as defined in Article II.314 of the Codex of Higher Education.

## **Departmental Student Council (DSR)**

A Departmental Student Council (DSR) is a participation committee at departmental level, as defined in Article II.314 of the Codex of Higher Education. There is a DSR for each department and for the 'GO5' entity (together referred to as 'department').

## **Participation coaches**

Participation coaches are staff members of HOGENT who support, train and coach the student representatives.

## **Operating Regulations**

The Operating Regulations are the regulations that describe the internal functioning of the General Student Council (ASR) and the Departmental Student Councils (DSRs).

## **HOGENT Management**

HOGENT Management means the president of HOGENT, the Executive Board or the Board of Directors of HOGENT.

## **Executive Board**

Executive Board means the Executive Board of the ASR/DSR.

## **Effective student representative**

An effective student representative is a student who has been appointed or nominated by direct or indirect election to fill a mandate in an advisory, consultative or governing body of HOGENT.

## **Successor**

A successor is a student representative who was not elected for a mandate on a DSR or who was not delegated from a DSR to the ASR or from the ASR to a governing body but who, based on the order of precedence of the election results, takes the place of the effective student representative when the latter's mandate ends.

### **Alternate**

An alternate is a student representative with a mandate on the ASR who has not been delegated to an advisory or consultative body but who takes the place of a student representative who cannot attend a meeting of the advisory or consultative body.

### **Mandate**

A mandate is the authority of an effective student representative to represent the interests of the students or on behalf of a DSR/ASR. A student representative may have a mandate on a DSR, the ASR or a governing, advisory or consultative body of HOGENT.

## **Title 3. General provisions**

### **Article 1. Full members**

Student representatives with a mandate on a governing, advisory or consultative body are full members of the body and receive all the documents necessary to carry out their mandate properly.

### **Article 2. Status of student representative**

All student representatives are provided with the necessary study and examination facilities to properly carry out their mandate. Exercising the mandate of student representative confers a special status that is automatically granted to a student representative who sits on one of these student participation bodies: the programme committee, the Departmental Student Council (voting members), the General Student Council, the Student Services and Student Life Council and the Student Associations' Presidents' Meeting.

Student representatives may not be disadvantaged for the actions they take in the exercise of their mandate. They shall inform both the participation coaches, the study pathway supervisor and the teaching staff involved of their status and the associated facilities.

Student representatives can make use of the following individual education and examination measures:

- The student may have limited legitimate absences for educational activities with compulsory attendance.
- The student has permission to leave the classroom (earlier) or to arrive late because of activities within the context of the status.
- The student is given the opportunity, after consultation with the teaching staff involved, to postpone the deadline for tasks.
- The student is given the opportunity to reschedule exams within the examination period. The student is responsible for requesting the rescheduling in good time according to the guidelines and deadline communicated to the students before each examination period.

In addition, the HOGENT management shall provide the necessary material facilities for the execution of student representatives' mandates.

### **Article 3. Student representative certificate**

Student representatives who can prove their involvement sufficiently can request a certificate of their involvement from the participation coaches at the end of their HOGENT career. The participation coaches assess the applications and award the certificate. The conditions are defined in the Operating Regulations.

#### **Article 4. Disputes**

If a student representative suspects that his/her/their rights are not being respected, he/she/they can appeal to an ombudsperson who is not affiliated with his/her/their department.

In the event of a dispute between the HOGENT management and the ASR, an ombudsperson shall mediate to find a solution. In the event of a dispute between the DSR and the Faculty Council (DR), the ASR shall mediate to find a solution.

If a student representative does not fulfil his/her/their mandate properly, he/she/they can be removed from office by the General Assembly of the DSR/ASR. The procedure for this is included in the Operating Regulations.

If the ASR believes that HOGENT is not fulfilling its obligations set by decree on student participation, this shall be raised internally with the president of HOGENT. If the ASR deems it necessary, it may inform the Government Commissariat.

## **Title 4. General Student Council (ASR)**

#### **Article 5. Purpose of the ASR**

The ASR has an advisory role with respect to the governing bodies of HOGENT for all matters concerning the students.

It shall defend the interests of all students of HOGENT and inform the students about the way in which it exercises its powers. It shall ensure that the provisions set out in these Student Participation Regulations are complied with and that the DSRs function properly.

#### **Article 6. Composition of the ASR**

##### **§1 General Assembly**

The General Assembly is composed of effective members of the DSRs and effective members from the student section of the Student Services and Student Life Council. Each DSR/the Student Services and Student Life Council shall delegate the two most directly elected members to the ASR in accordance with the order of precedence in the election results. To ensure gender diversity, the two delegates must belong to different gender identities.

If there are fewer than or as many candidates as mandates to be given for the DSR, all candidates are declared elected and it is decided internally who will be deputised.

The student representative retains the right to relinquish his/her/their mandate on the ASR. In that case, another student representative is appointed, based on the order of precedence in the election results or after internal deliberation.

Where necessary, the ASR is supplemented by the members of the student section of the Supervisory Board (see Article 8 §1), if they have not been re-elected to the DSR/ Student Services and Student Life Council.

In the event of early termination of a mandate, a new mandate holder is appointed from the relevant DSR/Student Services and Student Life Council, based on the order of precedence of the election results or after internal deliberation.

The General Assembly may not have fewer than eight members and shall take valid decisions only if more than half the members are present. The system of proxies is defined in the Operating Regulations. Decisions are taken by a simple majority (more than half).

External parties may be invited by the Chairman of the ASR if their presence is relevant. Participation coaches shall take part in the General Assembly on the basis of their function.

The ASR may determine the capacities with which their mandate is incompatible.

### **§2 Executive Board**

The General Assembly shall elect from among its members the chairman, the vice chairman and the secretary, who together shall constitute the Executive Board. The General Assembly may also appoint additional members of the Executive Board.

The powers of the Executive Board, the way it elects its members and the duties of its members are laid down in the Operating Regulations.

## **Article 7. Powers of the ASR**

### **§1 Right to express an opinion**

The ASR, either on its own initiative or at the request of the institution, gives written opinions to the governing bodies of HOGENT on all matters affecting students.

Opinions are drafted by consensus. If no consensus can be reached, a vote is taken. The way the vote is organised is defined in the Operating Regulations.

Own-initiative opinions are communicated to the entity in question via the ASR.

In the case of opinions upon request, the HOGENT management shall endeavour to submit its request for an opinion to the ASR one month in advance.

Deviations from this time limit are only possible in cases of justified urgency. Opinions upon request are communicated by the ASR to the management.

Each opinion is signed by the chairman, or if the chairman is unable to sign, by the vice chairman, and sent to the management.

### **§2 Deliberation**

The management is required to deliberate with the ASR before adopting a regulatory provision on the matters listed below:

1. Establishing the legal status of students and the education and examination regulations.
2. Determining and spending tuition fees.
3. Developing student support initiatives.
4. Establishing the rules on international student mobility.
5. Determining the organisation of the academic year, including holiday and leave arrangements.

Deliberation shall take place directly between the management and the Student Council, or in an advisory council existing at HOGENT, in which other education and research stakeholders are represented in addition to delegates from the Student Council, and in which the above-mentioned matters are usually discussed.

Deliberation shall result in an agreement or non-agreement between the management and the ASR or their delegates. An agreement shall be implemented by the management. In case of non-agreement, the final decision lies with the management.

### **§3 Consultation**

The management must consult the ASR before adopting a regulatory provision on the matters listed below:

1. The general policy on internal quality management.
2. Establishing the code of conduct on language arrangements.
3. Establishing the rules for evaluating the educational activities of the teaching staff.

Consultation shall take place directly or in an advisory council existing at HOGENT which other education or research stakeholders are represented in addition to delegates from the Student Council, and in which the above-mentioned matters are usually discussed.

The conclusions of the consultation shall be the subject of a reasoned opinion. The management may only deviate from the opinion of the ASR in a substantiated manner. This means that if the opinion is not the same as the final decision, the management must justify why the main objections are not being followed. The reasons for the deviation shall be notified to the ASR within a period of thirty days.

The time limit shall begin on the day following the day on which the regulatory provision in question is adopted.

### **§4 Adequate representation**

The management shall consist of at least 10% students, so that no prior deliberation or consultation is required on the matters listed in Article 7 §2 and §3. However, the management may, on its own initiative, hold a prior debate or consultation.

## **Article 8. Governing bodies**

### **§1 Board of Directors**

The ASR shall appoint three student representatives from among its members to represent the student voice on the Board of Directors. The procedure for this is included in the Operating Regulations.

The mandate of a student on the Board of Directors is valid for two academic years and can be renewed once.

In the event of early termination of a mandate on the Board of Directors, the ASR shall appoint a successor to continue the mandate for the remainder of the term.

The procedure for this is included in the Operating Regulations.

### **§2 Executive Board**

The ASR shall nominate one student, with a mandate on the Board of Director, to the president of HOGENT and to the Chairman of the Executive Board. The Board of Director shall appoint the student as a board member. The way a student is chosen for nomination is included in the Operating Regulations.

The student's mandate on the Executive Board is valid for two academic years, provided that the student remains a member of the Board of Directors, and can be renewed once.

In the event of early termination of the mandate on the Executive Board, the ASR shall nominate a successor, who is a member of the Board of Directors, to continue the mandate for the remainder of the term. The way a student is chosen for nomination is included in the Operating Regulations.

**Article 9. Advisory and consultative bodies**

The ASR shall appoint student representatives from among its members to take up a mandate on an advisory or consultative body in which the matters referred to in Article 7 §2 and §3 are usually discussed. The number of mandates to be given is discussed within the body. The procedure for this is included in the Operating Regulations.

The student's mandate on an advisory or consultative body is valid for one academic year and starts as soon as the ASR has appointed the student representative.

Student representatives who do not take up a mandate on an advisory or consultative body are the alternates of the mandate-holders who cannot attend the meeting.

**Article 10. ASR term of office**

The mandate of the members of the ASR starts at the beginning of the academic year and ends on the last day of the academic year in accordance with the academic calendar in force.

**Article 11. ASR transitional period**

In case of requests for an opinion or other points that are submitted to the ASR after the elections, but which exclusively concern the next academic year, before an ASR opinion is issued, and except for urgent circumstances, a consultation shall be organised with the meeting of future mandate-holders.

This consultation with future mandate-holders shall also be organised in the event that, after the elections, the number of mandate-holders still in office is insufficient for a valid meeting to be held.

In the latter case, following this mandatory consultation, the ASR may issue a valid opinion regardless of whether the attendance quorum is reached or not.

**Article 12. ASR meetings**

The ASR meets at least four times per academic year. The Chairman invites the members of the General Assembly. The schedule of meetings is decided at the installation meeting.

The Chairman may convene an Extraordinary General Assembly, either independently or at the request of the Executive Board or at least three other members.

Minutes shall be produced of each General Assembly. The minutes shall be communicated to the members of the General Assembly within 30 days. The minutes shall be submitted for approval at the next General Assembly.

**Article 13. ASR support**

The ASR shall prepare an annual budget proposal. The management shall allocate the necessary staff and operating resources on the basis of the proposal.

# Title 5. Departmental Student Council

## **Article 14. Purpose of the DSR**

The DSR defends the interests of all students of the department and has an obligation to inform all students of the department concerned about the way in which it exercises its powers.

## **Article 15. Composition of the DSR**

### **§1 General Assembly**

The General Assembly of a DSR comprises:

- eight directly elected students, of whom at least three have a different gender identity (voting members);
- all students of the department and in particular the student representatives from the programme committee (advisory members).

If there are fewer than or as many candidates as there are mandates to be filled, all candidates are declared elected.

In the event of early termination of a mandate, a new mandate-holder shall be appointed, based on the order of precedence of the election results.

The General Assembly may not have fewer than five members and shall take valid decisions only if more than half the voting members are present. The system of proxies is defined in the Operating Regulations. Decisions are taken by a simple majority (more than half the votes).

External parties may be invited by the Chairman, at the request of a member of the General Assembly, if their presence is relevant.

### **§2 Executive Board**

The General Assembly shall elect from among its voting members the chairman and the vice chairman, who together shall constitute the Executive Board. The General Assembly may also appoint additional members of the Executive Board.

The powers of the Executive Board, the way it elects its members and the duties of its members are laid down in the Operating Regulations.

## **Article 16. DSR elections**

Elections are organised by the Electoral Committee in accordance with the electoral regulations. The members of the Electoral Committee are appointed by the president of HOGENT. The student representatives on the Electoral Committee are nominated by the ASR. The way a student is chosen for nomination is included in the Operating Regulations.

Election disputes are handled by the Committee of Tellers.

### **Article 17. Powers of the DSR**

The DSRs exercise the powers of the ASR for all matters that arise at the departmental level.

A DSR issues a written opinion on its own initiative, at the request of the ASR or at the request of the DR or Head of Department.

Opinions are drafted by consensus. If no consensus can be reached, a vote is taken. The way the vote is organised is defined in the Operating Regulations.

Each opinion is signed by the chairman, or if the chairman is unable to sign, by the vice chairman, and sent to the party concerned.

The DR shall consist of at least  $\frac{1}{4}$  students, so that no prior deliberation or consultation is required on the matters listed in Article 7 , §2 and §3.

However, the DR may, on its own initiative, hold a prior debate or consultation.

### **Article 18. Delegation to the Departmental Council**

The delegation of at least three student representatives to a DR is decided by and among the voting members of the DSR. The way this internal election is organised is defined in the Operating Regulations.

The mandate of student representatives on the DR is valid for two academic years.

In the event of early termination of a mandate, a new mandate-holder shall be appointed from among the voting members, according to the same procedure as described above.

### **Article 19. Students on the advisory body at educational level**

Students on the advisory body at educational level shall have at least one third of the votes in this body. Students who are interested in serving on this body can apply in accordance with the stipulated procedure.

If not enough students are willing to be part of it, the advisory body can still function.

### **Article 20. DSR term of office**

The mandate of the members of the DSR starts at the beginning of the academic year and ends on the last day of the academic year in accordance with the academic calendar in force.

### **Article 21. DSR transitional period**

In case of requests for an opinion or other points that are submitted to the DSR after the elections, but which exclusively concern the next academic year, before a DSR opinion is issued, and except for urgent circumstances, a consultation shall be organised with the meeting of future mandate-holders.

This consultation with future mandate-holders shall also be organised in the event that, after the elections, the number of mandate-holders still in office is insufficient for a valid meeting to be held.

In the latter case, following this mandatory consultation, the DSR may issue a valid opinion regardless of whether the attendance quorum is reached or not.

### **Article 22. DSR meetings**

The DSR meets at least four times per academic year. The Chairman invites the members of the General Assembly. The schedule of meetings is decided at the installation meeting.

The installation meeting shall be organised as soon as possible after the results of the election are announced.

The Chairman may convene an Extraordinary General Assembly, either independently or at the request of the Executive Board or at least three other members.

Minutes shall be produced of each General Assembly. The minutes shall be communicated to the members of the General Assembly within 30 days. The minutes shall be submitted for approval at the next General Assembly.

**Article 23. DSR support**

The DSR shall prepare an annual budget proposal. The department shall allocate the necessary operating resources on the basis of the proposal.

## **Title 6. Other student participation bodies**

**Article 24. Student forum**

The Student Forum consists of all HOGENT students and is convened at the initiative of the ASR to hear the voice of the students on a college-wide issue. The ASR may use the outcome of a forum to support its opinion but this is not binding.

**Article 25. Student Associations' Presidents' Meeting**

The Student Associations' Presidents' Meeting refers to the meeting of the chairmen of the student associations recognised by HOGENT. This meeting is convened at the request of HOGENT or at the request of a student association and is intended to look after the interests of the student associations.

**Article 26. Right of establishment**

The ASR may establish a temporary or permanent thematic advisory body, on its own initiative or on the recommendation of a DSR.

## **Title 7. School of Arts HOGENT – Howest**

**Article 27. School of Arts Student Council**

Given the cooperation between HOGENT and Howest with regard to the School of Arts, specific measures to ensure student participation are applicable. These measures are included in separate internal regulations.

The Student Council established in the School of Arts shall provide a delegation of two student representatives to the ASR, on condition that they are students of HOGENT and of a different gender identity.

*Mutatis mutandis*, this Student Council shall be recognised and regarded as a Departmental Student Council, with a view to providing equal access to student participation at HOGENT.