

LEIDEN UNIVERSITY REGULATION ON THE BINDING STUDY ADVICE

The Executive Board of Leiden University, in the light of Section 7.8b of the Higher Education and Research Act (Wet op het hoger onderwijs en wetenschappelijk onderzoek, hereafter the WHW), in conjunction with Section 9.2, second paragraph, of the WHW as well as Section 9.5 of the WHW, has decided to establish the Leiden University Regulation on the Binding Study Advice, as follows:

Article 1. Definitions

For the implementation of this section of the regulation, the following definitions apply:

1.1 The first-year (propaedeutic) phase is understood to mean the first phase of a bachelor's programme with a study load of 60 credits.

1.2 The first year of enrolment is the academic year in which the student was enrolled in the bachelor's programme in question for the first time.

1.3 If a student is simultaneously enrolled in more than one bachelor's programme, the binding study advice requirements as referred to in Article 2 apply for each of these bachelor's programmes.

Article 2. Binding Study Advice requirements

2.1 A full-time student is required to have completed a minimum of 45 study credits of the first-year phase by the end of his or her first year of enrolment and to have met the additional requirements of the first-year phase set by the bachelor's programme in question, as specified in the Course and Examination Regulations (OER).

2.2 A part-time student is required to have completed a minimum of 30 study credits of the first-year phase by the end of his or her first year of enrolment and to have met the additional requirements of the first-year phase set by the bachelor's programme in question, as specified in the Course and Examination Regulations (OER).

2.3 For students who start their study programme after 1 September of the first year of enrolment, the Board of Examiners can postpone issuing the binding study advice until no later than 15 August of the immediately following year of enrolment. In these cases, the student must have completed a minimum of 45 study credits of the first-year phase at the time when the advice is issued, including the additional requirements of the first-year phase set by the bachelor's programme in question, as specified in the Course and Examination Regulations (OER).

2.4 In the case of relevant personal circumstances, the Board of Examiners will issue an advice in accordance with the procedure in Articles 5.7 and 5.8 of this regulation.

2.5 If the student has been granted an exemption, this exemption can count towards meeting the Binding Study Advice requirements, unless the Board of Examiners decides otherwise.

Article 3. Study guidance plan and study advice

3.1 Every bachelor's programme has a study guidance plan. This plan covers the

first-year phase and the second year of study, and it includes at the very least the following:

3.1.1 The introductory interview, which takes place before the end of September – or in exceptional cases before the end of October, or later than this in the case of students who start their study programme after 1 September – individually with every student who is enrolled for the first time in the first-year phase of the bachelor's programme;

3.1.2 The mentoring of first-year students. Designated lecturers, if necessary with the support of student mentors, are responsible for structuring the study environment; they provide support in learning to study, and act as the primary contact between the bachelor's study programme and first-year students;

3.1.3. In the first year of enrolment, providing – at the student's request – an adjusted study plan for students whose academic progress is hindered by personal circumstances as referred to in Article 4.2;

3.1.4 The study plan for students who are enrolled in the second year of the bachelor's programme in question. In this study plan, students draw up a plan of their courses (compulsory and optional), including relevant test dates. Extra-curricular components are also included in the study plan;

3.1.5 An early test for first-year students in the period between the beginning of October and mid-November, and a number of examinations before mid-January;

3.1.6 The opportunity that is offered to students to improve their study results if the advice as referred to in 3.1.7. or 3.1.8 is negative;

3.1.7 The first study advice, which is issued no later than 31 January in the first year of enrolment to every student who is enrolled for the first time in the first-year phase of a bachelor's programme;

3.1.8 The second study advice, which is issued no later than 15 June in the first year of enrolment in cases where the Board of Examiners deems it necessary;

3.1.9 The first study advice and the second study advice, if issued, also serve as a warning as referred to in Section 7.8.b, fourth paragraph, of the WHW;

3.1.10 The binding study advice, as referred to in Section 7.8b, first and third paragraphs, of the WHW, that is issued in writing no later than 15 August of the first year of study to every student who is enrolled in the first-year phase of a bachelor's programme, unless Article 2.3 or 2.4 is applicable;

3.1.11 Before 31 January, issuing an invitation to and conducting an interview with every student whose study advice as referred to in Article 3.1.7 is negative;

3.1.12 Before 15 June, issuing an invitation to and conducting an interview with every student whose study advice as referred to in Article 3.1.8 is negative;

3.1.13 Before issuing the binding study advice as referred to in Article 3.1.10, issuing an invitation to an interview to every student whose study advice as referred to in Article 3.1.10 is negative; this also applies if, in accordance with Article 2.4 or 2.5, the advice is issued at a later time;

3.1.14 In the course of the interview referred to in Article 3.1.13, the student is informed of the possibilities available to him or her for following a different study programme at Leiden University, or another study programme elsewhere. If required, the student is also provided with support and guidance in making his or her decision;

3.1.15 The way in which the study programme safeguards an appropriate level of learning intensity and a high quality of teaching.

3.2 The study guidance plan is included in the prospectus of the bachelor's programme in question or communicated to students in writing or electronically in some other form.

Article 4. The student file

4.1 The Board of Examiners of every bachelor's programme keeps a file on each student enrolled in the bachelor's programme. This file includes a short written account of all formal contacts between the bachelor's programme and the student, including in any case the introductory interview, the interviews relating to the study advice, and the study plan.

4.2 All students are responsible for reporting in timely fashion, and in any event before 15 July, to the study adviser of the bachelor's programme any personal circumstances that may constitute a reason for waiving the right to exclude the student from the programme on the basis of a negative study advice, as stipulated in Section 7.8b, first paragraph.

4.3 The personal circumstances of the student, as referred to in Section 7.8b, third paragraph are included in the file, together with an adjusted study plan that has been adapted to these personal circumstances and that has been drawn up together with the student.

4.4 All students have the right to examine their file, as referred to in 4.1, and, if they wish, to lodge an objection against the contents of this file.

Article 5. The Binding Study Advice

5.1 The study advice is issued by the Board of Examiners of the bachelor's programme, on behalf of the Faculty Board or the Board of Directors of the Faculty to which the programme belongs.

5.2.1 The binding study advice, as referred to in Article 3.1.10, is positive for full-time students if at the time the advice is issued, the student in question has successfully completed at least 45 study credits of the first-year phase of the bachelor's programme in question, including the additional requirements of the bachelor's programme in question as established in the Course and Examination Regulations (OER). The binding study advice, as referred to in Article 3.1.10, is positive for part-time students if at the time the advice is issued, the student in question has successfully completed at least 30 study credits of the bachelor's programme in question, including the additional requirements of the bachelor's programme in question as established in the Course and Examination Regulations (OER).

5.2.2 The binding study advice, as referred to in Article 3.1.10, is negative and leads to exclusion for full-time students if at the time the advice is issued, the student in question has completed fewer than 45 study credits of the first-year phase of the bachelor's programme in question. The binding study advice, as referred to in Article 3.1.10, is negative and leads to exclusion for part-time students if at the time the

advice is issued, the student in question has completed fewer than 30 study credits of the first-year phase of the bachelor's programme in question.

5.2.3 The binding study advice, as referred to in Article 3.1.10, is negative and leads to exclusion if the full-time student has completed 45 study credits or more of the first-year phase, but he or she has not met the additional requirements of the first-year phase of the bachelor's programme in question as established in the Course and Examination Regulations (OER). The binding study advice, as referred to in Article 3.1.10, is negative and leads to exclusion if the part-time student has completed 30 study credits or more of the first-year phase, but he or she has not met the additional requirements for the bachelor's programme in question as established in the Course and Examination Regulations (OER).

5.3 The exclusion is valid for a period of four academic years after the academic year in which the advice is issued, unless the student in question requests admission to the programme in question at a later date than the end of the academic year, and is able to present a reasonable case to the satisfaction of the Board of Examiners of the programme in question that he or she will be able to successfully complete the programme.

5.4 If after four or more academic years, a student who has been excluded from the programme enrolls again in the first-year phase or the post-propaedeutic phase of the bachelor's programme in question, this enrolment will be regarded as a first-time enrolment.

5.5 Exclusion from a programme extends to any bachelor's programme that shares the first-year phase of the programme in question.

5.6 If the advice leads to exclusion from the programme, the advice will also provide information regarding the student's possibilities for enrolling in other study programmes.

5.7.1 The negative advice referred to in Article 3.1.10 does not lead to exclusion if the student's personal circumstances referred to in Article 5.8 and included in the file as referred to under 4.2 have been the cause of the student's failure to meet the standards and deadlines stipulated in Article 2. The Board of Examiners will formulate its decision on whether or not to exclude the student on the basis of the study advice by making a comparison of the student's study results with the personal study plan as referred to in Article 4.3.

5.7.2 If the Board of Examiners cannot give a decision on the student's (in)ability to complete the study programme pursuant to Article 5.7.1, because insufficient information is available concerning those personal circumstances that have arisen during the first year of study, it can postpone this decision until no later than 15 August of the second year of enrolment. In these cases, for a positive advice, the student must have completed a minimum of 45 study credits of the first-year phase, including the additional requirements of the first-year phase of the bachelor's programme in question, as established in the Course and Examination Regulations (OER), at the time when the advice is issued.

5.8 The WHW Implementing Decree (Section 2.1) establishes the implementation of paragraph 3 of Section 7.8b. The decree states which personal circumstances are taken into consideration in issuing the advice referred to in Article 3.1.10, namely:

- Illness;

- Disability;
- Exceptional family circumstances;
- Pregnancy;
- Board membership;
- Top-level sport.

The student has to request the Executive Board to assess whether there are indeed personal circumstances under the terms of this regulation, and the extent to which these circumstances impact the student's study results. The Student and Educational Affairs Department (SEA) assesses on behalf of the Executive Board whether such personal circumstances do indeed apply. To allow SEA to make this assessment, the student should send a personal statement regarding the severity, duration and nature of the circumstances in question, including supporting evidence, to the following address: Executive Board, Leiden University, SEA/BSA, Postbus 9500, 2300 RA Leiden.

In the case of illness or a disability, the supporting evidence should consist of an official statement by a physician or a registered (BIG, Professionals in Individual Healthcare) paramedic that testifies to the severity and the duration of the circumstances in question.

Article 6. Other provisions

6.1 No advice as referred to in Article 3.1.10 is issued to students from whom a written request to cancel enrolment has been received via Studielink before 31 January of the first year of enrolment in the first-year phase of a bachelor's programme and whose enrolment is actually cancelled before 1 February and who do not enrol again in the same academic year in the same study programme. If the student subsequently re-enrols in the first-year phase of the bachelor's programme in question, this enrolment will be regarded as his or her first enrolment.

6.2.1 Students who change their enrolment status from full-time to part-time before 1 February of the first year of enrolment in the first-year phase are considered to be part-time students for the purposes of this regulation.

6.2.2 Students who change their enrolment status from full-time to part-time after 1 February of the first year of enrolment in the first-year phase are considered to be full-time students for the purposes of this regulation.

6.3 The Board of Examiners of a bachelor's programme may disregard or deviate from the implementation of Article 5 if, in view of the interests that this regulation intends to protect, its implementation would lead to a situation of extreme unfairness.

Article 7. Exceptions

Bachelor's programmes that are offered jointly with another institution of higher education may be subject to norms that deviate from those mentioned above. These norms have to be included in the Course and Examination Regulations (OER) of the programme in question.

Final article: official title and effective date

- This regulation is to be cited as the Leiden University Regulation on the Binding Study Advice.
- This regulation becomes effective on 1 September 2019.
- The Leiden University Regulation on the Binding Study Advice, last amended on 20 June 2017, will be revoked on 1 September 2019.

This regulation was first established by the Executive Board on 23 June 2005. The last amendment to the regulation appeared on 20 June 2017.

EXPLANATION

This regulation applies to all bachelor's students of Leiden University, both full-time and part-time.

The regulation enters into effect on 1 September 2019.

The study guidance plan (the Leiden Study System) is structured as follows:

- In the first-year phase students are offered an extensive introduction to the bachelor's programme.
- The introductory interview and the mentoring/study guidance programme help first-year students to become more familiar with their new study environment.
- Every student has a minimum of two progress interviews in his or her first and second year of studies.
- The study plan in the second year consists of the following steps:
 - o Before the start of the third semester, the study programme informs students that they have to hand in a study plan;
 - o The study plan is assessed and approved by the study programme – usually via e-mail;
 - o The assessment of the plan is included in the student's file;
 - o A report is drawn up at the end of every semester outlining the study progress made by the student.
 - o Every half-year, the study progress of every student is determined, the study plan is updated, and if necessary the student in question is invited for an interview.

Full-time students are issued with a study advice at least twice during the first year: one advice on or before 31 January, and a binding advice no later than 15 August. If the study results after February are such that the student is in danger of being unable to meet the norm for the binding study advice, the Board of Examiners issues an additional warning before 15 June. This applies, for example, if a student received a positive progress advice in January, but since then has displayed little or no study progress. After the first advice, students are invited for an interview before 31 January if the advice issued to them is negative. The same takes place if the second advice is negative (interview before 15 June). The study programme must offer students who receive a negative advice in January or June sufficient opportunity to improve their study results in conformity with the BSA requirements. If the binding study advice at the end of the first year is negative, the student is first invited for an interview before this advice is definitively issued. The binding study advice issued no later than 15 August leads to exclusion if it is negative. The advice is negative if the student has completed fewer than 45 study credits in the first year of his or her studies, or if he or she has completed 45 study credits or more but has not met the additional requirements as specified in the Course and Examination Regulations (OER). This negative binding study advice leads to exclusion from the study programme.

In their first year, part-time students are also issued with a study advice on at least two occasions: one advice on or before 31 January and a binding advice no later than 15 August. After the first advice, students are invited for an interview no later than 31 January if the advice issued to them is negative. If the study results are such that the student is in danger of being unable to meet the norm for the binding study advice,

the Board of Examiners issues an additional warning before 15 June (see above, analogous to full-time students). If the binding study advice at the end of the first year is negative, the student in question is first invited for an interview before this advice is definitively issued. The same takes place if the second advice (June) is negative. The binding study advice issued no later than 15 August leads to exclusion if it is negative. The advice is negative if the student in question has completed fewer than 30 study credits in his or her first year of studies or has not met the additional requirements as specified in the Course and Examination Regulations (OER). This negative binding study advice leads to exclusion from the study programme.

Article 2.3 If the Board of Examiners has insufficient information at the end of the first year of enrolment to form an opinion about the student's (in)ability to complete the study programme as a result of a later start in the first-year phase, the Board of Examiners can postpone giving a binding study advice until no later than 15 August of the immediately following year of enrolment. If the Board of Examiners decides to postpone issuing the advice, the same norms apply as for other students (45 EC + additional requirements) of the study programme.

Article 5.7.1 The Board of Examiners can waive its right to exclude a student from the programme on the basis of a negative advice if the student has failed to meet the norm due to personal circumstances. Such personal circumstances include the following: illness, disability, exceptional family circumstances, pregnancy, certain board duties, top-level sport and an unfeasible study programme. On the basis of the study plan and the SEA's advice, the Board of Examiners can formulate a new norm and can waive its right to exclude the student from the programme if the Board of Examiners is of the opinion that the student meets this new norm. In the case of personal circumstances, a study plan must always be drawn up. This binding study advice is the final advice, whether or not it leads to exclusion from the study programme.

Article 5.7.2 If the Board of Examiners has insufficient information at the end of the first year of enrolment to form an opinion about the student's (in)ability to complete the study programme (in the case of personal circumstances), the Board of Examiners **can** postpone giving a binding study advice until no later than 15 August of the second year of enrolment (this year does not have to follow immediately after the first year of enrolment). If the Board of Examiners decides to postpone issuing the advice, the same norms apply as for other students (45 EC + additional requirements) of the study programme.

NB1. Postponement of the advice is not mandatory. The Board of Examiners can, if it so wishes, issue the advice before the end of the second year of enrolment if it has reached a well-founded opinion about the student's (in)ability to complete the study programme.

NB2. Only one binding study advice can be issued to a student. This also applies for students who start their study programme later than 1 September and students with personal circumstances. Students who receive a postponed advice therefore do not receive a binding study advice at the end of the first year of enrolment.

The student must report the personal circumstances as soon as possible, but in any case before 15 July of the first year of enrolment, to the study adviser (or his or her substitute) and draw up an adjusted study plan together with the study adviser. In addition, the Student and Educational Affairs Department (SEA) has to determine whether there are indeed personal circumstances as referred to in this regulation, and

in which period and to what degree these personal circumstances prevented the student from meeting his or her study requirements.

A student who has been issued with a binding and negative study advice that leads to exclusion from the study programme will not be granted admission to the bachelor's programme in question, nor to any other bachelor's programme with the same first-year phase, for a period of four academic years. A student who has made it known via Studielink before 1 February of his or her first year of enrolment that he or she wishes to end his or her enrolment, and whose enrolment is actually cancelled before or as of 1 February will not be issued with a binding study advice in that academic year. If the student subsequently re-enrols for this programme, this enrolment is regarded as his or her first enrolment for the purposes of this regulation.

If a full-time student cancels his or her enrolment as a full-time student and enrolls as a part-time student before 1 February of his or her first year of enrolment, this student will be considered to be a part-time student for the purposes of this regulation. If he or she ends his or her enrolment as a full-time student and enrolls as a part-time student after 1 February, he or she is considered to be a full-time student for the purposes of this regulation. A part-time student who changes his or her enrolment status from part-time to full-time is considered to be a full-time student for the purposes of this regulation as of the date of the change of status.

A student has a right to lodge an appeal against the final study advice to the Examination Appeals Board, in writing and within six weeks of the date of the final decision. For the duration of the appeal procedure, permission is granted for the student to proceed with the programme. In this period, the student in question is also allowed to take examinations, although these are not graded until the end of the appeal procedure. These examinations will only be graded and the results published if the Examination Appeals Board's decision entails that the student will be allowed to proceed with the study programme.

Procedure regarding personal circumstances of the student in the context of the binding study advice

1. Introduction

The WHW Implementation Decree establishes the implementation of Section 7.8b, paragraph 3. The decree states which personal circumstances are taken into consideration in issuing an advice at the end of the year.

- Illness;
- Disability;
- Exceptional family circumstances;
- Pregnancy;
- Board membership;
- Top-level sport.

The student has to request the Executive Board to assess whether there are indeed personal circumstances under the terms of this regulation, and the extent to which these circumstances impact the student's study results. The Student and Educational Affairs Department (SEA) assesses on behalf of the Executive Board whether there are such personal circumstances.

The basic procedure includes the following steps:

- The student reports to the study adviser of the study programme that his/her studies are hindered by personal/exceptional circumstances.
- Together with the study adviser, the student formulates a study plan that takes into consideration the circumstances in question. This study plan is included in the student's BSA file.
- The student sends a personal statement regarding the severity, duration and nature of the circumstances in question, including supporting evidence, to the following address: Executive Board, Leiden University, SEA/BSA, Postbus 9500, 2300 RA Leiden.
- SEA assesses the validity, expected duration and severity of the personal circumstances in question. A report of these findings is submitted to the Board of Examiners (through the intermediation of the study adviser).
- In issuing its study advice, the Board of Examiners takes into consideration the consequences of the personal circumstances in question for the student's study progress, to the extent that these have been recognised by SEA, and assesses the student's performance in light of the adjusted study plan.

2. Procedure per category of personal circumstance in the context of the BSA

2.1. Illness

If study progress is hindered as a result of illness, the student should report this immediately to the study programme. The student must consult with the study adviser regarding possible adjustments to the study programme that may minimise obstacles to study progress. This adjusted study plan is included in the student's BSA file. If as a result of illness, the student experiences a study delay, he or she should contact SEA. To this end, the student should send a personal statement regarding the severity, duration and nature of the circumstances – as soon as possible, but in any case no later than 15 July - to the following address: Leiden University, SEA/BSA, Postbus 9500, 2300 RA Leiden.

SEA will assess the validity, duration and severity of the student's personal circumstances. The student should include an official statement by a physician or registered (BIG) psychologist. This statement should indicate to what extent study progress is hindered by the illness and an estimate of the expected duration of the illness. The study programme or SEA will inform the student of the possibility of obtaining an expert statement via the Health, Safety and Environment Department (VGM). On the basis of this expert statement, the student's statement and any other written or electronic report by the study adviser, SEA formulates a statement addressed to the Board of Examiners. This statement specifies the duration and the degree to which the student's study progress is hindered by the personal circumstances in question. In issuing the study advice, the Board of Examiners takes into consideration the consequences of the personal circumstances for the study progress, as specified in the statement, and assesses the student's study performance in the light of the adjusted study plan. In the case of personal circumstances, if the Board of Examiners has insufficient information, pursuant to Article 5.7.2 it can postpone issuing the final advice until no later than 15 August of the second year of study.

2.2. Disability

A student who may experience a study delay as a result of a chronic functional disability should, in accordance with the Protocol on Studying with a Functional Disability, make contact as soon as possible with Fenestra, in particular with the student counsellor. On the basis of Fenestra's advice, the student consults with the study adviser regarding possible adjustments to the study programme, so as to reduce the study delay to a minimum. The student should be in possession of a medical statement that testifies to the degree to which the student is hindered in his/her functioning. The study adviser or student counsellor will inform the student of the possibility of obtaining this statement via the Safety, Health and Environment Department (VGM). The relevant information and the results of any interviews between the student counsellor and the student are included in the statement submitted by SEA to the Board of Examiners. In this statement, SEA specifies in any case the degree to which the student's progress is impacted by personal circumstances. The adjusted study plan is included in the student's BSA file. In issuing the study advice, the Board of Examiners takes into consideration the consequences of the personal circumstances for the study progress, as specified in the statement, and assesses the student's study performance in the light of the adjusted study plan. If the Board of Examiners has insufficient information, pursuant to Article 5.7.2 it can postpone issuing the final advice until no later than 15 August of the second year of study.

2.3. Pregnancy/childbirth

In case of a pregnancy, the student is considered to be essentially unable to make study progress for a period of four months surrounding delivery. The student can consult with the study adviser regarding possible adjustments to the study programme, so as to reduce the study delay to a minimum. This study plan is included in the student's BSA file. The student should send her statement, including supporting evidence, no later than 15 July, to the following address: Leiden University, SEA/BSA, Postbus 9500, 2300 RA Leiden. SEA will formulate a statement for the Board of Examiners. If delivery takes place during the academic year, or no more than two months before its start or after its end, the Board of Examiners will take this personal circumstance into consideration when issuing the study advice. If the Board of Examiners has insufficient information, pursuant to Article 5.7.2 it can postpone issuing the final advice until no later than 15 August of the second year of study.

If the study delay extends beyond the above-mentioned four months, some justification other than pregnancy/childbirth should be given for the delay, for example illness or exceptional

family circumstances.

2.4. Exceptional family circumstances

If severe family circumstances make it impossible for the student to sufficiently concentrate on his/her studies or dedicate enough time to his/her studies, the student can consult the study adviser regarding possible adjustments to the study programme that would minimise potential study delay. This study plan is included in the student's BSA file. If the student nevertheless experiences a study delay as a result of these circumstances, the student should send a personal statement (if possible) no later than 15 July regarding the nature, duration and severity of these circumstances together with a supporting statement provided by a student counsellor, to the following address: Leiden University, SEA/BSA, Postbus 9500, 2300 RA Leiden. SEA will formulate a statement and submit it to the Board of Examiners. In this statement, SEA will in any case specify in which period and to what extent the student's results were negatively impacted by the personal circumstances in question. In issuing its binding study advice, the Board of Examiners takes into consideration the consequences of the personal circumstances for the study progress, as specified in the statement, and assesses the student's study performance in the light of the adjusted study plan. If the Board of Examiners has insufficient information, pursuant to Article 5.7.2 it can postpone issuing the final advice until no later than 15 August of the second year of study.

2.5. Board membership

If a student wishes to become a member of the board of a study or student association or of a university governing body, he or she can consult the study adviser regarding possible adjustments to the study programme. This study plan is included in the student's BSA file. If following this consultation, it becomes apparent that the student will nevertheless experience a study delay as a result of the above-mentioned activities, the student should contact SEA. This should be done if possible before the start of the student's board activities. SEA formulates a statement and submits it to the Board of Examiners. In this statement, SEA specifies whether these activities are recognised in the context of this regulation and the degree to which the intended activities are expected to hinder study progress. In this context, SEA relies on the guidelines of the WHW and seeks external advice if necessary. In issuing its binding study advice, the Board of Examiners takes into consideration the consequences of the personal circumstances for the study progress, as specified in the statement, and assesses the student's study performance in the light of the adjusted study plan. If the Board of Examiners has insufficient information, pursuant to Article 5.7.2 it can postpone issuing the final advice until no later than 15 August of the second year of study.

2.6. Top-level sport

If a student takes part in top-level sport with a status as referred to in the Regulations on Financial Support for Students, he or she can consult the study adviser regarding possible adjustments to the study programme. This study plan is included in the student's BSA file. If, following this consultation, it becomes apparent that the student will nevertheless experience a study delay as a result of the above-mentioned sporting activities, the student should contact SEA. SEA formulates a statement and submits it to the Board of Examiners. In this statement, SEA specifies whether these sporting activities are recognised in the context of this regulation and the degree to which these sporting activities are expected to hinder study progress. In this context, SEA relies on the guidelines of the WHW and seeks external advice if necessary. In issuing its binding study advice, the Board of Examiners takes into consideration the consequences of the personal circumstances for the study progress, as specified in the statement, and assesses the student's study performance in the light of the adjusted study

plan. If the Board of Examiners has insufficient information, pursuant to Article 5.7.2 it can postpone issuing the final advice until no later than 15 August of the second year of study.

3. Other provisions

3.1. Negative binding advice

If the Board of Examiners, despite having been appraised of recognised personal circumstances, issues a negative binding study advice, this advice should specify to what extent the personal circumstances in question were taken into consideration.

3.2. Ending enrolment in a study programme

- Students who submit a request to end enrolment after 1 February of their first year of enrolment in the relevant study programme without providing a compelling reason for this request should be issued with a negative advice if they fail to meet the norm.
- Students who submit a request to end enrolment before 1 February (and whose enrolment in the relevant study programme is effectively cancelled by 1 February on the grounds of this request) will not be issued a (binding) study advice in the academic year in question. Should they decide to re-enrol in a subsequent academic year, this enrolment will be considered to be their first enrolment in the context of this regulation.

3.3. Putting a study programme on hold

If a student puts his/her studies on hold after 1 February of the first year of enrolment in the relevant study programme as a result of one or more personal circumstances, the final advice will be as much as possible determined on the basis of the last study advice issued before the circumstances in question occurred. If this advice was not negative and the student can demonstrate that the study programme was interrupted in consultation with SEA and on the grounds of the relevant circumstances, the advice issued at the end of the academic year in question may not be binding.

For example, if a student falls ill in April and interrupts his/her studies, while the study results up to March demonstrate that he/she is capable of completing the study programme, then there are sufficient grounds to refrain from issuing this student with a binding study advice. If, however, the student's results prior to his/her illness were below the norm for that period, the student should be issued with a negative advice.

3.4. Personal circumstances and the following year of study

If in his/her first year of enrolment a student is issued a negative binding study advice for the relevant study programme, but the Board of Examiners has decided, due to personal circumstances as referred to in this procedure, to refrain from excluding the student from the study programme, in his/her second year of enrolment in the relevant study programme, the student will no longer fall under this regulation with regard to the BSA requirements. The rules with regard to the study plan in the second year continue to apply. If the Board of Examiners decides, because it has insufficient information, pursuant to Article 5.7.2 to postpone giving a binding study advice until no later than 15 August of the second year of enrolment, the student must still meet the BSA requirements (45 EC inclusive of any additional requirements).

3.5 Hardship clause

The Board of Examiners also has a hardship clause available: if the study results of a student fail to meet the BSA requirements, the Board may nevertheless refrain from issuing a binding study advice leading to exclusion from the study programme on the grounds that doing so would lead to 'an exceptional case of extreme unfairness'. In other words, if on the basis of the student's results, attitude and motivation, the Board of Examiners is convinced of a student's ability to successfully complete the study programme, the Board may decide that its negative advice will not lead to exclusion from the study programme.