



## Regulations relating to the University Council

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### Chapter 1: General provisions

#### Article 1

1. In these Regulations, the following definitions apply:

The Act (WHW): The Higher Education and Research Act (*Wet op het hoger onderwijs en wetenschappelijk onderzoek*)

The University: Leiden University

The Executive Board: The Executive Board of Leiden University, as referred to in Article 9.2 of the Act

Staff: All persons with a temporary or permanent appointment with the University, regardless of the extent of the appointment. This also includes all persons who are appointed by the Netherlands Organisation for Scientific Research (NWO) or a comparable organisation, and who regularly work at the University in that capacity.

Student: A person who is enrolled as a student at the University in accordance with the Act, or a person who is enrolled as a student in a non-initial study programme offered by the University and listed in the Leiden Register or on the list of non-initial study programmes compiled by the Executive Board

Section: The staff or student members of the University Council

Consultative meeting: A joint consultation meeting between the University Council and the Executive Board

Rules of Procedure: The regulations referred to in Article 9.31, paragraph seven, of the Act

2. All terms that appear in these Regulations, to the extent they are also mentioned in the legislation, have the meaning assigned to them by law.

#### *The Act*

**9.34.1** *The Executive Board establishes [...] regulations for the University Council.*

**9.34.2** *The Executive Board submits these regulations [...] as a proposal to the Council and only establishes the regulations if the proposal meets with the approval of two-thirds of the Council members.*

## **Article 2**

These are the Regulations for the University Council as referred to in Article 9.34 of the Act.

### **Chapter 2: Composition and term of office**

#### **WHW**

**9.34.3** *The regulations (of the University Council) provide at least for the following:*  
*c. The number of Council members*  
*e. The term of office of Council members*

**9.31.2** *The number of Council members may not exceed twenty-four.*

**9.31.3** *Half the Council members are elected from and by staff, and the other half from and by the student body.*

**9.31.4** *Members of the Executive Board or Board of Governors, or anyone appointed to the position of Dean of a faculty, are excluded from membership of the Council.*

**9.31.5** *Candidates for election to the staff section of the Council are nominated by staff members or staff organisations.*

**9.31.8** *The Council elects a Chair and one or more Deputy Chairs from among its members or externally. The Chair, or, in the event of his or her absence a Deputy Chair, represents the Council in legal proceedings.*

## **Article 3**

1. The University Council comprises sixteen members: 8 elected from and by staff and 8 elected from and by the student body.
2. The University Council is supported by a Registrar.

## **Article 4**

The term of office of University Council members starts on 1 September and ends on 31 August.

## **Article 5**

1. Staff members of the University Council are elected for two terms; student members are elected for one term.
2. For members who accept a seat that has become vacant in the interim, this term of office is reduced by the term of office already completed by the resigning member.
3. Provided the results of the new elections are not declared inviolable, resigning members retain their membership at the end of a term of office.

4. Resigning University Council members are directly re-electable for another term.

## **Article 6**

1. The Chair of the University Council is elected for one term. The Chair is directly re-electable.
2. When a new University Council takes on its duties following elections, the resigning Chair of the Council continues to act as Chair until the University Council has elected a new Chair. If the resigning Chair is absent, the oldest (in terms of age) member of the University Council acts as Chair.

## **Chapter 3: Elections**

### *The Act*

**9.34.2** *The Executive Board submits the regulations (of the University Council), including any amendment to these regulations, as a proposal to the Council and only establishes these regulations once the proposal has gained the approval of two-thirds of the Council members.*

**9.34.3** *The regulations (of the University Council) provide at least for the following:*

*d. The procedure for electing Council members*

**9.34.4** *The regulations may [...] specify that one or more groups of persons who are affiliated with the University in some other manner than through public appointment, or on the grounds of enrolment as a student or external student, qualify as candidates for nomination as staff members or student members of the Council.*

## **Article 7**

The details of the procedure concerning the University Council elections referred to in the Act are formulated by the Executive Board in the Electoral Regulations of the Faculty Council. The provisions of Article 9.34, paragraph two, of the Act, apply accordingly.

## **Article 8**

1. Separate elections are held for each section.
2. The following persons have the right to vote:
  - a. Staff members who are employed by the University on the date on which the electoral register is approved;
  - b. Persons who are employed by the Netherlands Organisation for Scientific Research (NWO) or a similar organisation and in that capacity are working at the University on the date on which the electoral register is approved;
  - c. Students who are enrolled at the University, as well as students who are enrolled in non-initial degree programmes in the Leiden Register or on the list of non-initial degree programmes compiled by the Executive Board on the date on which the electoral register is approved.
3. The following persons are eligible for election to the University Council:

- a. Staff members employed by the University on the date on which the electoral register is approved
  - b. Persons who are employed by the Netherlands Organisation for Scientific Research or a comparable organisation on the date on which the electoral register is approved, who frequently work at the University in that capacity, and who have received written approval from their employer to stand as candidates
  - c. Students who are enrolled as such at the University on the date on which the electoral register is approved
  - d. Grant recipients who are affiliated with the University on the date on which the electoral register is approved.
4. If in the year in which no regular elections are held for the staff section of the University Council, at least one month before the reference date, as referred to in Article 4, paragraph one, of the Electoral Regulations of the University Council, and due to an insufficient number of candidates, one or more of the seats in the University Council become vacant, interim elections are held to fill these vacancies. The relevant members are elected for one term.
  5. In the case of interim elections, as referred to in the fourth paragraph, the filling of vacancies in the University Council, as referred to in Article 32 of the Electoral Regulations of the University Council, is based in the first instance on the report establishing the results of the regular elections, and, in so far as this report is insufficient to fill all vacancies, the report establishing the results of the interim elections.

## **Article 9**

If the number of nominated candidates within a section does not exceed the number of seats to be filled, no elections take place in this section, and the nominated candidates are declared elected.

## **Chapter 4: Powers**

### *The Act*

**9.34.3** *The regulations (of the University Council) at least provide for the following:*

- a. Matters concerning which the Council, without prejudice to Article 9.33, has right of consent*
- b. Matter concerning which the Council, without prejudice to Article 9.33a, has right of advice*
- c. The period within which the Council must grant or withhold consent, and the period within which the Council must issue advice*

**9.33** *The Executive Board requires the above-mentioned consent from the University Council for any proposed decision concerning at least the establishment or amendment to the following:*

- a. The institutional plan [...]*
- b. The structure of the quality assurance system [...] as well as any proposed policy in response to the results of quality assessment [...]*
- c. The Student Charter [...]*
- d. The Management and Administration Regulations [...]*
- e. Rules concerning working conditions*
- f. The choice for a consultative participation scheme [...], and*



- g. The regulations, as referred to in Article 7.51, paragraph four, (of the Graduation Regulations)*

*The Executive Board also requires the above-mentioned consent from the University Council for the main points of the annual budget, as referred to in Article 2.8.*

*9.33a The Executive Board requests prior advice from the University Council for any proposed decision concerning at least the following:*

- a. Matters relating to the continued existence and smooth functioning of the University*
- b. The budget, including the amount of University tuition fees, and the amount of the tuition fees referred to in Article 6.7, paragraph one [...]*

*The Executive Board requests prior advice from the student section of the University Council for any proposed decision concerning at least the following:*

- a. General staff and appointment policy, except where Article 9.36, paragraph two, applies*
- b. Policy concerning the University tuition fees, as referred to in Article 7.46 [...]*
- c. The regulations of the executive board with respect to the refund of University tuition fees, as referred to in Article 7.48, paragraph four*
- d. The regulations established by the executive board concerning the selection criteria and selection procedure referred to in Article 6.7a, paragraph one, under b, or Article 7.26, 7.26a and 7.53, paragraph three, and to the extent that it refers to the selection procedure, Article 7.30b, paragraph two*
- e. The regulations established by the executive board for the criteria and procedure for dispensation from payment of higher tuition fees, as referred to in Article 6.7a, paragraph one, under c*
- f. The rules established by the executive board with respect to the selection referred to in Article 7.9b, paragraph one*
- g. The rules established by the executive board with respect to study choice advice and study choice activities, as referred to in Article 7.31b, paragraph four*
- h. Any proposed decision by the Board of Governors [...] concerning the appointment or dismissal of members of the Executive Board, as described in Article 9.33a, paragraph three, under a*
- i. Any proposed decision by the Board of Governors [...] concerning the profiles for the appointment of members of the Executive Board or Board of Governors, as described in Article 9.33a, paragraph three, under b.*

*9.36.1 The Executive Board requires the above-mentioned consent from the staff section of the University Council for any proposed decision concerning matters of general interest for the specific legal status of the University's staff.*

*9.36.2 Right of consent in matters as referred to in the first paragraph does not apply to the extent that the matters in question are already provided for in detail in or by virtue of a legal provision or a collective labour agreement. Right of consent equally fails to apply, to the extent that consultative participation in the matter at hand is already implemented in some other manner.*



## Universiteit Leiden

*The Chair and other members (of the Board of Governors) are appointed, suspended and dismissed by the Minister of Education. One of the members is appointed on a proposal by the University Council [...]. This proposal should include at least two names. If the proposed candidates are not appointed by the Minister of Education, a new proposal is submitted. The Minister of Education may diverge from the second proposal for motivated reasons. The appointment takes into account as much as possible a balanced distribution of male and female members. The Minister of Education appoints a member in whom the University Council has a particularly high level of trust [...].*

### Article 10

1. Without prejudice to the provisions of Article 9.33 of the Act, the Executive Board requires prior consent from the University Council for any decision it proposes to take with respect to the following:
  - a. Establishing or amending the main points of the University budget. In this context, the main points of the budget are understood to mean: the distribution of resources across the main positions within faculties/institutes, services, working budgets and housing, as referred to in the Executive Board Framework Memorandum. Consent is given on basis of the 'Allocation Results' and 'University Contribution' tables in the Framework Memorandum. The University Council also has right of consent for any amendment to the Allocation of Government Funding (AEG, *Allocatie Eerste Geldstroom*) to faculties (including any amendments to the budget factor), budget allocations to support services, and working budgets;
  - b. Changes in University contribution with respect to the Framework Memorandum for which the budget is established;
  - c. Amendments to the budget factors;
  - d. Real estate investments that have an impact of more than €1 million on operations;
  - e. Investments in the field of educational quality based on funds from the student loan system;
  - f. Facilities for consultative participation as referred to in Article 26, paragraph two;
  - g. Guidelines concerning the ethical aspects of working for the University.
2. The institutional plan, referred to in Article 2.2 of the Act, includes the profile and identity of the University, its proposed strategic policy concerning education and students, research, staff, finances, and housing. The plan may also contain other topics of strategic importance.

### Article 11

1. With regard to any proposed decision by the Executive Board that requires the consent of the University Council, the Council must in principle decide to grant or withhold consent at the next University Council meeting or in any case within six weeks of receiving the proposed decision, unless the Council and the Board jointly set another deadline.
2. Before a decision to grant or withhold consent is reached, the Executive Board consults with the University Council.



3. If the University Council does not reach a decision within the period set, the proposed decision is deemed to have been approved.
4. If a proposed decision by the Executive Board is not granted consent by the University Council and the Executive Board wishes to uphold the decision in question, the Executive Board determines that there is a dispute. The Executive Board or the University Council notifies the Board of Governors of the dispute. The Board of Governors puts forward a proposal to resolve the dispute. If the proposal of the Board of Governors is not approved by both the Executive Board and the University Council, the dispute is submitted to the Consultative Participation Arbitration Board for Higher Education, as referred to in Article 9.39 of the Act.

### Article 12

1. The Executive Board in any case submits for advice to the University Council any proposed decision regarding the following:
  - a. Matters concerning the continued existence and smooth functioning of the University;
  - b. The University budget, in compliance with the provisions of Article 10, paragraph one, under a, and the budgets of university foundations of which the board of the foundation is established by the Executive Board;
  - c. Policies concerning the creation of holdings and private companies;
  - d. Policies concerning the University's tuition fees. The University budget referred to under b must specify the amount of the University tuition fees;
  - e. Policies concerning collective student facilities;
  - f. Proposed partnerships with another institution.
2. The Executive Board requests prior advice from the section of the University Council elected from and by students for any decision the Board proposes to take regarding:
  - a. General staff and appointment policy, unless Article 9.36, paragraph 2, of the Act applies;
  - b. Policies concerning University tuition fees;
  - c. Executive Board Regulations concerning refunding of the statutory tuition fees.

### Article 13

1. The Board of Governors requests the University Council's advice concerning in any event the profiles for the appointment of members of the Board of Governors.
2. Article 14 also applies to advice to the Board of Governors.

### Article 14

1. The Executive Board consults the University Council regarding any decision it proposes to take that requires the advice of the University Council, before the advice is issued. The University Council issues its advice within six weeks after this meeting.

2. If the University Council does not issue any advice within the period referred to above, the Executive Board is entitled to take a final decision.

### *The Act*

**9.37.2** *The Faculty Council exercises towards the Dean of the Faculty the right of consent and right of advice that are due to the University Council with respect to matters that specifically concern the Faculty and on condition that the relevant powers have been conferred on the Dean.*

**9.38** *The Dean must obtain prior consent from the Faculty Council at least for all proposed decisions concerning the establishment of and amendments to the following:*

*a. The Faculty Regulations [...];*

*b. The Course and Examination Regulations, as referred to in Article 7.13, with the exception of subjects listed in paragraph 2, a-d.*

**9.34.3** *The [Faculty Council] Regulations provide at least for the following:*

*h. The powers exercised by the Faculty councils.*

### **Article 15**

1. Without prejudice to the provisions of Article 9.38 of the Act, the Faculty Board must obtain prior consent from the Faculty Council for any proposed decision concerning the following:

- a. The main points of the Faculty budget, as further specified in the Faculty Regulations;
- b. The Faculty long-term plan, which must in any event include any proposals concerning specific Faculty tasks, long-term allocation of Faculty resources, and a research group plan;
- c. Establishing employee councils for all support services and Faculty management units.

2. The Faculty Board requests advice from the Faculty Council for any proposed decision concerning the following:

- a. The Faculty budget plan, with due consideration for the stipulations in paragraph one, under a;
- b. The reorganisation of the Faculty;
- c. Structural collaboration with partners within and outside the Faculty.

### *The Act*

**9.34.3** *The (University Council) regulations provide at least for the following:*

*i. Allocation to the section of the Council elected by and among the staff of powers with respect to safety, health and wellbeing within the University, as referred to in the Working Conditions Act and the Working Conditions Decree for Education, pursuant to which the Works Council*

*1° has the opportunity to express its opinion or to be heard*

*2° has the right to submit a request for the application of the law or*

*3° has the right to lodge an appeal*

*k. Allocation to the Council or the section of the Council elected by and among the staff of powers with respect to safety, health and wellbeing within*



*the University to the extent that this does not concern decisions taken by the Executive Board, as referred to in Article 9.33, under e.*

## **Article 16**

With respect to matters of safety, health and wellbeing within the University, as referred to among others in the Work Conditions Act and the Working Conditions Decree for Education, the staff section of the University Council has the right to express its opinion to the Executive Board or to be heard by the Executive Board, submit a request for the application of the law, or to lodge an appeal.

### ***The Act***

**9.32.4** *The Council is also responsible across the University for generally guarding against discrimination on any grounds whatsoever, and for promoting in particular the equal treatment of men and women, as well as the deployment of disabled persons and persons from ethnic minorities. The Regulations of the Council [...] establish whether the Council has powers corresponding to those referred to in the opening words of Article 12, paragraph two, and under d, of the Equal Treatment Act (Algemene wet gelijke behandeling [...]).*

**9.34.3** *The (University Council) regulations at least provide for the following:*  
**j.** *Conferring on the Council powers corresponding to those referred to in the opening words of Article 14, paragraph two and under d, of the Equal Treatment (Men and Women) Act (Wet gelijke behandeling van mannen en vrouwen [...]).*

## **Article 17**

If the University Council is of the opinion that within the University a distinction is made as referred to in the Equal Treatment Act, the Equal Treatment (Men and Women) Act, or Article 646 of Book 7 of The Civil Code, the University Council may request the Committee for Equal Treatment, as referred to in Article 11, paragraph one, of the Equal Treatment Act, or the Committee for the Equal Treatment of Men and Women, as referred to in Article 13 of the Equal Treatment (Men and Women) Act, to investigate whether such a distinction is really being made.

## **Chapter 5: University Council procedures**

### ***WHW***

**9.31.7** *The Council establishes regulations for its day-to-day functioning and formulates a procedure for allocating the resources made available to the Council by the Executive Board and any Faculty Council or Committee as referred to in Article 9.47.*

## **Article 18**

1. The University Council meets at least ten times within a term of office.
2. The Chair of the University Council is responsible for convening the meetings.
3. The University Council reaches its decisions by a majority vote. Decisions can only be reached if more than half the council members are present.

## **Article 19**

1. The meetings of the University Council are open to the public, unless the University Council decides that public discussion is inappropriate due to the nature of the issue to be discussed.
2. The members of the University Council are sworn to confidentiality on all matters that come to their knowledge in a meeting that is closed to the public, unless the University Council decides to suspend confidentiality. The Registrar and any persons who attend the meeting by invitation are similarly sworn to confidentiality.

## **Article 20**

1. The University Council may, in accordance with the stipulations of its Rules of Procedure, appoint committees from among its own members. A committee requires a written description of its duties and authorities.
2. Committee meetings are open to the public, unless at its inception, it is decided otherwise, or unless the committee decides in accordance with Article 19, paragraph one, to discuss a particular matter in private. Article 19, paragraph 2, applies accordingly.

## **Article 21**

The University Council draws up its own procedure and the conduct of its meetings in internal regulations, in accordance with the stipulations of Articles 18, 19, and 20. These internal regulations at least include rules concerning the University Council meetings, agenda, voting, decision-making, and reporting procedures.

## **Chapter 6: Consultative meeting**

### **Article 22**

1. The Executive Board and the University Council hold a consultative meeting at least four times per year.
2. The Executive Board and the University Council meet within a reasonable period if the Executive Board, the University Council, or the staff or student section of the University Council delegation submits a motivated request to this end.
3. Consultative meetings discuss University-related matters that the Executive Board or the University Council wishes to discuss or that must be discussed by these bodies in accordance with or by the power of these Regulations or the Act.
4. Consultative meetings are chaired by the Chair of the Executive Board or by the Chair of the University Council, in accordance with agreements reached by these two persons.
5. The Registrar of the University Council acts as administrative secretary of the consultative meeting, unless the Executive Board and the University Council jointly appoint a different person as administrative secretary.

6. The agenda for the consultative meeting contains items submitted to the University Council Registrar by the Executive Board, the University Council, or the staff or student section before the meeting. A report is made of each meeting.
7. The Chair adjourns a consultative meeting if the Executive Board or the University Council considers separate deliberation concerning a specific matter desirable.
8. Unless otherwise specified, the provisions concerning the meetings of the University Council apply accordingly.

### **Article 23**

1. Consultative meetings are open to the public unless the Executive Board or the University Council decides that public discussion is not in order due to the nature of the issue to be discussed.
2. As soon as possible after each consultative meeting, a report is made available to all parties concerned.
3. A confidential report is made of every closed meeting or closed part of the meeting. The Chair of the consultative meeting decides in what words a decision taken in a closed meeting or closed part of a meeting is to be communicated to the public.

### **Chapter 7: Rights and duties**

#### *The Act*

**9.34.3** *The (Faculty Council) regulations provide at least for the following:  
f. The manner in which the Executive Board communicates information to the Council.*

**9.32.5** *[...] In addition, the Executive Board provides the Council, at its own initiative or upon request, with timely information that the Council may reasonably require in the exercise of its duties.*

### **Article 24**

1. The Executive Board provides the University Council, at its own initiative or upon request, with any timely written information concerning the day-to-day functioning of the University which the Council may require in order to exercise its duties. To this end the Executive Board holds frequent meetings with the Chair of the University Council to ensure smooth and effective decision-making.
2. The Executive Board provides this information as soon as possible, but in any case within three weeks of the receipt of the Council's written request. This period may only be exceeded in exceptional cases, and the fact that it is being exceeded must be communicated to the Council, including reasons, before the period expires.
3. Without prejudice to the provisions of the first paragraph, the University Council informs the Executive Board in good time of its wish to receive additional information before or during a meeting.

#### *The Act*

**9.32.8** *The Executive Board is responsible for making sure that Council members are not disadvantaged in their positions within the University due to their membership of the Council. The first sentence applies accordingly to candidate members and former members of the Council.*

## **Article 25**

1. The Executive Board ensures that University Council members, as well as candidate and former members, are not disadvantaged in their position within the University as a result of their membership of the Council.
2. A Council member who feels disadvantaged in his/her position within the University as a result of his/her membership of the Council must inform the Executive Board of this in writing, including reasons.
3. The Executive Board sets up an advisory committee consisting of three members within three weeks of receiving the complaint referred in the second paragraph.
4. At least two members of the advisory committee must be from a faculty or central service other than the one that employed the person concerned in the period covered by the complaint.
5. The advisory committee invites the person concerned to be heard within a week of receiving the complaint.
6. The Executive Board reaches a decision within two weeks of receiving the advice prepared by the advisory committee, unless the Executive Board decides that it is in the interests of the case to postpone this for a maximum of two weeks.

## ***The Act***

**9.48.2** *The Executive Board gives the members of the University Council the opportunity, during a period of time jointly determined by the Executive Board and the University Council, to receive any training they may need to exercise their duties. The University staff are given the opportunity to receive this training during working hours without loss of wages.*

## **Article 26**

1. The Executive Board provides the University Council and its members with the opportunity to properly exercise their duties as referred to in the Act.
2. The Executive Board draws up further regulations regarding the facilities available to the University Council, including at least provisions concerning:
  - a. Exemption from activities for staff members;
  - b. Fixed reimbursement of expenses for staff and students;
  - c. Training and education;
  - d. Support and meeting rooms;
  - e. The University Council's budget, as included in the University budget.

## **Chapter 8: Final provisions**

## **Article 27**

If the legislator confers new powers on higher education institutions, these powers will be examined to determine how they fit within the University's system of consultative participation.

### **Article 28**

These regulations, including any amendments, come into effect on the day when the Executive Board's decision to establish these regulations is communicated to the University Council.

These regulations were established by the Executive Board on 9 December 1997, and communicated to the University Council in a letter dated 9 January 1998. Following approval by the University Council, these regulations were amended by decision of the Executive Board on 24 February 2005. Following approval by the University Council, these regulations were amended by decision of the Executive Board on 19 October 2010. Following approval by the University Council, these regulations were amended by decision of the Executive Board on 18 April 2017.