

**EDUCATION, EXAMINATION
AND LEGAL POSITION
REGULATIONS**

2018-2019

LEGAL POSITION REGULATIONS

Legal position regulations for students

The legal position regulations of the University College PXL include all rights and obligations of students at the University College PXL. It therefore contains important and useful information for you.

For this reason, we strongly recommend that you to read the following sections of the PXL legal position regulations:

- general provisions regarding the rights of students: equal treatment, transparency, impartiality etc.;
- The obligations of any PXL student,
- the PXL disciplinary system;
- the arrangement regarding the students' rights to employment.

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Section 1. General provisions

Article 1. Equal treatment

As a student of the University College PXL, you are entitled to equal treatment. An unequal treatment requires an objective basis and the difference in treatment must be proportionate to a legitimate pursued target. The university college adopts general measures to ensure equal opportunities for all students.

Article 2. Administrative transparency

The university college ensures compliance with the principle of open government.

This is guaranteed by:

- the possibility for the student representatives to gain access, at their request, to the records of the meetings of the management bodies;
- the right of inspection regarding examinations as stipulated in the examination regulations;
- the opportunity, in accordance with the legislation on protection of personal data, to request access to and correction of personal data on the student that are electronically stored by the university college.

Article 3. Impartiality

The university college treats every student impartially.

It is not allowed to advise or decide on a student, or participate in the advice or decision within a particular decision-making body, when a personal interest is involved in that particular decision.

Article 4. Right of defence

All students have access to an ombudsperson's service as defined in this study guide.

Other forms of protection of the right of defence are included in the specific provisions of the study guide.

Article 5. Obligation of justification

Unilateral decisions by the university college regarding individual students or groups of students with the purpose of establishing legal action must be adequately justified by the person or body taking the decision. The file shall mention the legal and actual grounds on which the decision is supported.

Section 2. Obligations of the student

Article 6. Obligation of attendance

Except in cases of force majeure (e.g. heavy traffic problems, strikes, extreme weather conditions), you will not be allowed to enter the classroom as a latecomer.

If a teacher does not appear after 15 minutes, this will be reported to the departmental secretariat, which will contact the teacher concerned. Without any notice on the part of the teacher concerned, the student's further absence is justified (principle of 'academic quarter').

Article 6bis. To be present at the examinations and evaluation moments or during education activity with compulsory attendance

§1. Reporting and evidence of absence

A student who is absent from an exam, an evaluation moment or an educational activity with an obligatory presence, informs as soon as possible, and in any event on the day of the absence, the student administration department of the campus. An employee of this department will inform the head of department, the head of the program, the exam ombudsperson and the examiner or lecturer concerned.

The student must submit his absence via My PXL in accordance with the following modalities:

- the absence must be entered within five calendar days (including the first day of absence);
- the absence must be substantiated with the necessary supporting documents. These supporting documents must also be uploaded at the latest within five calendar days (including the first day of absence) and/or delivered to the student administration department of the reception (in accordance with the departmental agreements that are distributed via the usual electronic communication channels);
- medical certificates must be issued on the first day of absence. In case this is not possible, a medical certificate issued on the day following the first day of absence is exceptionally accepted, provided that the student can submit a document of proof issued by the (family) doctor that he/she has used the next available appointment;
- if the absence is justified on the grounds of facilities, then the approved contract of the facilities must be uploaded.

If the student wishes to be considered for a catch-up exam, he has to submit an application to the head of department for this purpose within five calendar days (including the first day of absence). If the progress committee meets within this period, the student's application for the catch-up exam must be submitted at least 48 hours before the meeting of the progress committee.

In the event of approval, re-sitting examinations are organized on the last day of the examination period in June or in the case of absences in the second examination period at the end of the last examination period (September).

For the modalities concerning the catch-up exams, we refer to the departmental examination guidelines.

Students having their domicile in the Netherlands or Germany, who, under the regulations in their country cannot provide a medical certificate, should go to a doctor in Flanders.

The rule of absence in case of permanent evaluation is included in the ECTS sheet of the course unit.

§2. Absence during permanent evaluation

For legitimate absence during permanent evaluation, specific rules apply which can be found in the departmental part at the end of the examination regulations or in the detailed description of the course units per programme (the so-called ECTS sheets).

If it is established that you repeatedly are unauthorized absent from the education activities (which may or may not assume individual performance or assignments or which are evaluated permanently) or during (partial) examinations, the university college may send you a registered letter with the request:

- to justify the unauthorized absences;
- either to de-enrol;
- or to submit a statement that you will be present again, thus fulfilling the obligation to participate in all organized education and examination activities (as far as the latter is still possible).

If you fail to provide satisfactory responses upon an expiry period of 14 calendar days following the sending of the registered letter, the university college may officially de-enrol you.

Article 7. Obligations regarding safety

§1. General

In case of serious danger, please contact the student administration department without delay.

In case of evacuation alarm, you must:

- turn off all devices;
- close doors and windows;
- leave the building instantly;
- avoid using the elevator;
- carefully follow the instructions of the responsible supervisors;
- keep calm to prevent panic;
- head to the meeting point;
- report any missing persons to the supervisors.

If you do not get an answer at the student secretariat, you are obliged to act immediately to the extent of your abilities: sound the alarm so that the activities in the building are terminated and the zone is evacuated, take the appropriate protective measures, and warn external emergency services (fire brigade and ambulance),...

Any student who detects a defect is obliged to report this immediately to the student secretariat where notification forms are available. The completed forms will also be collected there. The safety coordinator is responsible for the daily follow-up of the notification forms.

Article 8. Care for the infrastructure

As a student, you use the infrastructure with due care. Eating and drinking in the classrooms is prohibited. You are responsible for the damage caused by you; you are therefore obliged to compensate any such damage. In addition, disciplinary sanctions may be imposed on you.

Article 9. Observance of the smoke ban

Since 1 September 1987, the Royal Decree of March 31, 1987 prohibits smoking in the university college. Smoking is only permitted in designated areas outdoors. A disciplinary sanction may be imposed on students who fail to comply with this obligation.

Article 9 bis. Observance of the regulations on alcohol and drugs

The students at the University College PXL respect the statutory and decree provisions on alcohol and drugs. Disciplinary sanctions may be imposed on students who fail to comply with these regulations.

Article 10. Observance of the parking ban

Some parking lots on the campus are reserved places; you must respect the parking ban applying there. Disciplinary sanctions may be imposed on students who fail to comply with this obligation.

A disciplinary sanction may be imposed on students who park their car in an obstructive and/or incorrect way.

Article 11. Restaurants and cafeterias

Eating and drinking is only permitted in the designated places and areas. You should always clear the tables in the restaurant and the cafeteria after use. A disciplinary sanction may be imposed on students who fail to comply with this obligation.

Article 12. Library

Students who use the public library of the PXL always do this with the necessary care. The rules of the library are always respected. These precepts can be consulted at the website (www.pxl.be). Users who do not comply with these rules or otherwise disturb the atmosphere and/or operation of the library may be addressed by the staff. Depending on the nature and frequency of the incident, the staff might give you a warning, request to identify you by means of your student card or any other form of identification, require that you leave the room. Incidents are always documented.

Depending on the nature of the incidents, other order and/or disciplinary measures may also be taken.

Article 13. Consulting of reports

As University College PXL student, you should regularly read the announcements that are displayed on the notice boards or distributed at the electronic platforms (Epos, Blackboard, My PXL,...). Email messages are always sent to the PXL address assigned to each student upon registration. You are supposed to consult My PXL and your mailbox every day. You should also ensure there is enough space available in your mailbox.

You are also expected to consult your individual student tracking system (SVS) within EPOS once a week. The aim of SVS is to monitor and promote your own study progress and this with the support of the track counsellor and the lecturer or instructor.

All other announcements, posters, etc. of the students or other persons or organisations require the prior approval of the campus secretariat and the student secretariat.

Article 14. Taking care of personal belongings

The educational institution is not responsible for loss or theft of personal belongings. You have to take the necessary precautions in this regard.

Article 15. Observance of the copyright rules

Under no circumstances are students allowed to multiply and distribute learning material (course texts, manuals, exercises, slides,...) that were made available to them by the University College PXL either against payment or free of charge in the context of their education so that they or any third parties can benefit commercially from it. Nor are the students allowed to reproduce any examination material made available to them by the University College PXL in the context of their education, either against payment or free of charge, and to use such for purposes other than personal use.

A student who does not comply with the rules will be subject to sanctions of the disciplinary system. In addition, the student is also exposed to prosecution for copyright infringement.

Article 15bis. Respect the video and audio recording rules

The students do not have the right to make audio or video recordings of the educational activities nor of the staff employed at the University College PXL.

Audio and video recordings are only permitted upon specific agreement and approval of the lecturer of the course unit or the person who will appear in the picture.

The recording material may only be used for didactic purposes for the student himself or the study group of the current academic year. Commercial use is not allowed, nor is recording examinations for any use whatsoever. Any student using the material without

regard to these agreements will be subject to the sanctions of the disciplinary regulations.

The students cannot oppose recordings of educational activities made by the lecturer for real-time broadcasting and/or posting on learning platforms. They can, however, ask to be portrayed anonymously. You are not allowed to distribute or manipulate the recorded video material from lecturers.

When making copies of any information carrier whatsoever, explicit consideration should be given to the Copyright Act of June 30, 1994.

Any student who does not comply with the rules will be subject to sanctions as provided in the disciplinary regulations.

Article 16. Use of software, internet and email

§1. Software

The software made available to the students by the University College PXL may only be used by the student himself and only for purposes related to the programme. Copying of such software is prohibited.

It is also forbidden to install or download foreign software on devices owned by the University College PXL.

Also, the use of internet and email is limited to education-related purposes.

§2. Communication and information policy for students (Objective and scope policy regarding use ICT)

The University College PXL provides a lot of ICT and other communication tools for educational, scientific and administrative purposes.

Currently, each student at the University College PXL has a laptop at his/her disposal.

Instructors use the digital way to teach and communicate with their students. Students are looking for information on the internet and the electronic learning environment has become quite common for the student. And all that for all the departments of the school by means of a wireless network.

The University College PXL wishes in this respect:

- to take security measures which should protect both the individual student and the University College PXL and its partners;

- to make arrangements to avoid abuse and ensure efficient and proper use of, inter alia, the network and the systems;
- to record the rights as well as the obligations of all parties concerned.

The policy for students stipulated hereinafter applies to all ICT resources, IT infrastructure and electronic communication tools made available to the students by the University College PXL. The policy applies equally for ICT resources, whether or not property of the University College PXL, which is used in conjunction with the University College PXL (e.g. email, network software, internal and external networks, internet, learning platforms,...) and for all data, transmitted by or stored in those systems.

This policy has been approved by the Student Council on 02.03.2004.

Rules for use

The University College PXL makes considerable efforts to offer the laptops and other ICT resources and services at the lowest possible price and to keep the threshold for all students as low as possible. The proper use of the services and resources provided is an essential element in the further development of these efforts.

The rules laid down in this policy should ensure a dignified and disciplined use of the ICT resources.

Authorized use

Students may exchange information, express their opinion, in short, use the ICT infrastructure of the University College PXL, whether or not by using their laptops, as long as this complies with the legislation, a general feeling of good manners, respect and courtesy.

Each student has a responsibility towards his/her student colleagues, towards the University College as a whole and towards the society.

The University College PXL allows students to use the available ICT resources as far as this use is in accordance with this policy and the existing legislation.

For its part, the University College PXL is committed to ensuring that a number of basic services and needs are met, e.g. providing an email address, providing laptops at a favourable rental or purchase price, the wireless network.

Unauthorized use

The means of communication made available by the University College PXL may under no circumstances be used to process or communicate unauthorized information:

- in the first place, processing certain information might be against the law;
- sometimes information processing does not conflict with the law but cannot be accepted because it damages the institution;

- finally, information processing may be unauthorized because it is objectionable for others.

1. First of all, each student will ensure that information processing and communication are always in compliance with the legislation. For example, it is forbidden in any case:

- to disseminate or store information in contravention of the applicable legislation, such as the law on the protection of privacy and personal data in the field of telecommunications or with the provisions of the legislation on commercial practices relating to commercial communications;
- to install or use software for which the competent authority has not granted permission or for which the use is not legally regulated;
- to violate the copyright and other intellectual property laws;
- to process or disseminate information violating the legislation to combat racism or which is generally offensive or defamatory to other persons;
- processing or disseminating information being contrary to the principle of good morality;
- taking actions that are punishable under the law against computer crime such as actions that could jeopardize the security of systems or information such as penetrating the internal and external system by circumventing the network security, installing malicious software (for example virus-infected programmes) on the computers of the University College PXL, gaining access to systems for which you are not authorized;
- assuming a false identity on the network.

2. Secondly, when processing and disseminating information, each student has to take into account the interests and the sensitivities specific to the University College PXL, its staff and students.

Examples of this kind of information are:

- information that damages the image of the University College PXL or might damage it generally, both morally and economically;
- information having a pornographic or clearly erotic character;
- information that is classified as confidential or which, due to its nature, should reasonably be regarded as confidential, such as confidentiality of mail, passing personal information to persons who are not entitled to receive this information.

3. Thirdly, these are forms of information processing and communication that might interfere with other users or jeopardize the proper functioning of the network.

Examples of such prohibited information processing or communication are:

- to distribute, outside the bounds of business communication, unwanted or unsolicited bulk electronic mail (spam) or disseminate chain letters in violation of the law of 11th March 2003 on information society;
- to design malicious software (such as Trojan horses, viruses, worms, etc.) on the systems of the University College PXL, to install such knowingly and intentionally and/or encourage other users to use this software;
- to connect ICT equipment not owned by the University College PXL without prior permission of the local system or network administrator.

The responsibility of the student

The student has a number of responsibilities which, to the extent they apply, encompass:

1. The use of the ICT resources:

- keeping the ICT resources provided in good condition;
- ensuring that the ICT resources that have been provided are not left unattended and taking adequate safety precautions in order to minimise the risk of theft as much as possible;
- taking adequate safety precautions to minimize as much as possible the likelihood of University College PXL systems being infiltrated and confidential information being stolen, for example:
 - locking the study area and living space when leaving for a certain period of time,
 - activating the screensaver of the PC / workstation,
 - logging out when finishing work on the workstation in the PC classes, library, etc.

2. The security of the data stored in the systems: verifying that the information that has been received is free of any virus that could jeopardize the proper functioning of the systems.

- It is forbidden to disable the virus scanner installed, except in very exceptional circumstances upon the express consent of the system administrator.
- It is forbidden to work with an own laptop that does not have a virus scanner or to disable this software, with the exception for cases which have been explicitly allowed. It is moreover very important that this software is updated on a regular basis. The student is allowed to download it or to have it installed.
- When confronted with a virus, a suspicious email or a suspicious document, work must be stopped immediately and the suspicious email or document must be removed and, if necessary, the responsible system administrator must be contacted;

- Software and data which have been acquired via an external network or via portable media (ZIP disks, CD-ROMs, USB sticks,...) must be checked for viruses and Trojan horses;
- The highest degree of caution must always be taken when installing software;
- It is not allowed to install software of dubious origin on systems where confidential or critical information is stored or processed.

3. Reporting to the system administrator of any incidents, any shortcomings in the security of the computer system or methods which might jeopardize the security of data. Third parties may not be informed of this. Any exploitation of these weaknesses shall be considered as an attempt to infiltration.

4. Reading at regular intervals of his/her emails of the type firstname.name@student.pxl.be and emptying and archiving of his/her mailbox, if necessary. The system administrator may intervene in the mailbox extent and delete emails when the available individual capacity is exceeded.

5. Being very careful when passing personal data such as his/her email address.

6. Being very careful when dealing with files of unknown origin, especially the attachments.

7. Respecting the common rules of courtesy (etiquette).

8. In cases of doubt, the system administrator should be contacted.

Authorized personal use of ICT resources of the University College PXL

1. The University College PXL allows the personal use of ICT resources of the University College PXL within reasonable bounds, provided that the university college expressly reserves the right, when it is required for organizational or technical reasons or, when determined by law, to:

- revise and, if necessary, restrict or suspend the provided ICT resources (see the internet content filter to be installed);
- recover any costs incurred for personal use on the user.

2. Personal use of ICT resources within reasonable bounds is to be understood as follows:

- this use may not interfere with the activity of others;
- no costs occur for the University College PXL;
- the personal use of the ICT resources does not have any adverse impact on the study purposes for which the ICT resources are made available.

Passwords and usernames

1. Access to the computer infrastructure and the network is normally granted via individual authentication. Once connected to the network or computer system that is protected by the use of a password, he/she must abide by the rules governing the handling of information. The following rules shall apply:

- the username must be secured by means of a well-chosen password;
- no one is permitted to give out his/her password to third parties and/or allow third parties to use it and no one may use someone else's username;
- it is forbidden to try to hack or retrieve the password of someone else;
- it is not permitted to store passwords in a visible form (post-it notes,...);
- caution is essential when entering passwords.

2. Each user is responsible and liable for all activity associated with the use of his/her user ID and password.

3. All portable computers holding confidential information on the University College PXL should be consistently secured by a power-on password and a screensaver in order to protect the contents of the data as much as possible.

Handling of information

1. The policy applies to all information irrespective of the way in which it is

- communicated (in hardcopy, in electronic form, verbally,...);
- stored (in text form, in administrative systems, databases, on websites, in testing and learning platforms,...);
- distributed (via email, website, fax, telephone,...).

2. The policy presumes that each student is responsible for the information he/she manages and for the information he/she requests within the scope of his/her study assignments. The use of such information is restricted to what is required for carrying out the educational and training assignment. With the exception of other rules which have been explicitly stated, the authorisations granting access to the applications and data on the computer systems of the University College PXL are individual and non-transferable.

Certain information is confidential and must be handled with utmost care. In order to determine the level of confidentiality of certain information, one should consider first, in general, what the potential risk would be if this information were to be improperly disseminated and what the more specific consequences would be for the University College PXL, such as:

- the loss of economic value, for example information on the development of new products and services, research data or more general information of which the University College is the beneficiary, irrespective of the form in which it is stored;

- harm to the image, for example dissemination of sensitive information resulting into negative publicity;
- violation of the law and internal regulations, for example the applicable law on the protection of intellectual rights and especially the Copyright Act as well as the Privacy Protection Act and the processing of personal data must be strictly observed. For example salary and other payment data, information concerning staff and student administration, medical data, examination results;
- violation of a non-dissemination agreement, e.g. the transfer of information originating from third parties subject to a non-dissemination agreement.

Regardless of the confidentiality degree of the information in question, a specific access level must additionally be assigned to the information. For instance, it is not by definition permissible that all information being considered as non-confidential has to be made publicly accessible.

In case of doubt, information should be considered confidential regardless of whether or not it has been labelled as confidential.

In principle, confidential information may not be stored outside the University College PXL (e.g. on a personal PC). This, however, is permitted for study-related activities, but only during the time period this is strictly necessary and in situations where this is required. As soon as these conditions cease to apply, the information must be returned, removed or destroyed, depending on the situation.

Special care must be taken for removable media such as back-ups and hardcopy documents containing confidential information.

These must always be stored in a safe place. When destroying and possibly re-using the ICT resources, attention must be paid that these ICT resources no longer contain any confidential information. When destroying confidential documents, it must moreover be assured that such destruction is guaranteed.

Finally, it should be pointed out that all information that is transmitted via the network can basically be read, modified or recovered, unless specific measures have been taken. Users must be aware that the protocols most commonly used at intranet/internet do not contain any built-in techniques that guarantee the confidentiality of the messages. There are various ways in which information can be read, modified and/or falsified during transmittance. Users who still like to disseminate confidential information securely, for example by means of electronic mail, must take additional measures.

Supervision and monitoring

Fundamental right to monitor

Within the limits of the law, University College PXL is entitled to monitor the data stored, transmitted or received via the network of the University College PXL. Even when this monitoring falls within the scope of the student's privacy and this also includes the telephone and fax use.

For example, there is the monitoring inherent in the management of the computer system itself to ensure a proper functioning of the internet, to avoid overload or to prevent virus problems.

In this context, the University College PXL, as mentioned above, shall install an internet content filter for a better control of the internet traffic. By installing this filter, certain websites will be restricted or no longer accessible. However, this system also enables to register and monitor the internet usage in time, per user, per group of users and per network.

All cases involve a monitoring by persons that have a supervising function. The monitoring can only be performed by authorized network administrators and only by these persons.

The monitoring must be performed in such a way that interference in the user's privacy is minimized as much as possible and is only allowed for one or more of the following specific purposes:

- to prevent unauthorized facts, facts that are contrary to morality or might damage the dignity of another person;
- to protect the economic, commercial and financial interests of the University College PXL which are confidential as well as combatting conflicting practices;
- the safety and/or good technical functioning of all ICT resources of the University College PXL including the control of the costs involved as well as the physical protection of the facilities of the University College PXL;
- the compliance in good faith of the principles and rules applicable in the University College PXL, as listed in h. 2.

Direct and indirect individualization

Individualization means that it is allowed to investigate who exactly is responsible for an irregularity in order to take measures or impose penalties. Individualization is only allowed for the 4 mentioned purposes.

1. Direct individualization

In particular the immediate search, without any formality, of the individual responsible person, with possible penalties in accordance with the disciplinary proceedings is only possible if the monitoring relates to the purposes 1, 2 and 3 as mentioned under 4 A.

2. Indirect individualization

Where it concerns the monitoring of compliance in good faith of the rules and principles of the technology use in force at the University College PXL, a warning procedure is followed with the main purpose to inform the student of an irregularity and of the fact that individualization with a possible initiation of disciplinary proceedings will take place when a new irregularity is detected.

The following procedure rules must be observed:

- The student who is considered to be responsible for the irregularity will be invited by the Head of Department for a conversation.
- This conversation takes place before any decision or assessment that might affect the student individually.
- The purpose of the conversation is to offer the student the opportunity to explain his objections regarding the intended decision or evaluation and to ask for justification about his/her use of the ICT resources and other means of communication made available to him/her.

Follow-up

The guidelines contained in this policy relate to the ICT resources and other means of communication that are continuously subject to changes. For this reason, this policy may be modified or supplemented in future. Every two years or any time that the situation requires so, a committee consisting of the responsible network administrator, the Director Education and Student Policy, the Head of the IT Department and the general director shall convene with the target to test and modify the policy and security policy to the new situation and the existing laws. The new proposal will be re-submitted for approval to the Executive Board upon advice of the Student Council.

The University College PXL reserves the right to amend this policy at any time. All authorized users will be notified of any changes made.

Article 17. Participation in student surveys

By enrolling at the University College PXL, you commit yourself to participate in the student surveys regarding quality care.

Article 17bis. Social registration

At your first enrolment, the University College PXL asks you to provide some data to promote the inflow, development and outflow of all students. The intention of the University College PXL is to check whether its student population is a reflection of society and this is only possible if the students provide personal data. In this way, the policy can be better aligned with the students and it can be ascertained whether the efforts we are taking to promote the inflow, development and outflow are worthwhile and the policy can be adjusted, if necessary.

Since it concerns personal information, we handle this information with extreme care. To protect this information, the University College PXL uses some prerequisites:

- Each student can view and modify his/her data later through “my PXL” in the module “survey chance groups”;
- Each student may revoke his/her permission to use this information by deleting all data;
- If you have complaints or questions regarding access/change of the information, please contact the Study Progress Department (studievoortgang@pxl.be);
- All data will be deleted 10 years after enrolment.

Article 18. Prohibition of the use of mobile phone and laptop during the examinations

During the examinations, the students are prohibited from being in the possession of a mobile phone, laptop, tablet or any other electronic means that can be connected to the internet, unless otherwise determined by the examiner. Students may not exchange information during the examinations in any way whatsoever; also the setting-up of an ad-hoc network during examinations taken on the laptop is under no circumstances permitted. Students not complying with this rule may be subjected to a penalty (as described in Art. 33 of the examination regulations).

Article 18bis. Administration of examination on laptop

If an examination is to be performed via the laptop, the student himself is responsible for a laptop on which Windows with Office or other necessary programmes are available and functionally in order.

Article 19. Students of the dpt. PXL Healthcare: dealing with medication in practice rooms and skill labs

The students of the department PXL Healthcare are aware of the fact that they are working with (potentially) hazardous materials and that they should do this in a responsible manner. This applies to activities in the presence of a teacher as well as outside his attendance. Students who fail to comply with this obligation may be subject to the imposition of a disciplinary sanction.

Article 20. Obligations of facility students and students on whom binding conditions have been imposed

Students with facilities must comply with the arrangement and should take the necessary initiatives themselves. If a particular student does not respect the agreement, the study progress department may adapt the facilities in consultation with the study programme management.

Students with binding conditions should take the initiative to make arrangements with the student coach (track counsellor or student supervisor) for counselling interviews themselves. If the student fails to comply with the binding terms, the student will be de-enrolled from the educational regulation in accordance with the stipulations of Article 9 of the education regulations.

Section 3. Disciplinary system

Article 21. General

Students enrolling at the PXL University College should behave with a sense of responsibility and always acting out of respect for the own person, others and for the goods of the University College PXL and others.

The university college expects its students to demonstrate self-discipline, self-control and fair play throughout their complete education.

Students failing to behave like that may be subject to sanctions as described below.

Article 22. Minor disciplinary measures

Behaviour that interferes with the proper functioning of education or the university college may lead to the adoption of a disciplinary measure. The disciplinary measure should help the student to improve his/her behaviour and to adjust his/her behaviour so that a good cooperation will be possible again.

The disciplinary measure is taken by the head of department concerned or a member of the staff and is reported to the student administration department where it is entered in the student file that is stored there.

Possible disciplinary measures are:

- the warning;
- the provisional exclusion from an educational activity;
- the provisional denial of access to a room or area;
- the provisional exclusion from the university college as protective or preparatory measure before adopting a disciplinary sanction.

It is not possible to submit an appeal for minor disciplinary measures.

The temporary exclusion from the university college as protective or preparatory measure before a disciplinary sanction is imposed, can only be taken by the head of department.

It is not possible to appeal against a disciplinary measure.

This measure which is pronounced for the limited duration of the investigation presupposes a prior interview with the student.

Article 23. Disciplinary proceeding

§1. Description

Conduct that is considered to be a danger to the proper functioning of education or the department may lead to disciplinary action (this list is not limitative).

Actions that give rise to disciplinary proceedings:

- causing great damage, deliberately or by gross negligence, to the buildings or goods of the university college;
- causing great damage, deliberately or by gross negligence, to the person or goods of staff and students of the university college;
- causing great damage, deliberately or by gross negligence, to the persons or the goods of the persons;
- the use of violence, making serious insults, unwanted sexual behaviour or aggressive behaviour in respect of persons;
- theft of goods or goods of the university college or goods of members of the university college community;
- hindering the staff of the university college in their work;
- failure to comply with the guidelines of competent persons – where appropriate, third parties in the field of internship, thesis or project – during activities related to the programme followed;
- violation of the confidentiality duty to which the student is subject by law and/or in the context of internship or thesis project agreement;
- unauthorized public acting on behalf of the university college; performing acts or carrying out operations which jeopardize the reputation of the university college;
- violation of the statutory provisions or provisions set by decree on alcohol and drugs.

§2. Major disciplinary measures

The disciplinary committee is composed as follows:

- the Head of Department of the programme in which the student was enrolled as chairman;
- one Head of Department of a department other than the one in which the student was enrolled;
- the relevant campus administrator.

Possible major disciplinary measures are (this summary is not limitative):

- the blame;

- denial of the right to follow one or more lessons and practical;
- provisional exclusion from the department or the university college;
- provisional exclusion from the university college pending a decision in a criminal matter;
- refusal of permission for re-enrolment;
- the definitive exclusion from the department or University College.

The major disciplinary measures are always reported to the student administration department where they are entered in the student file that is stored there.

§3. Hearing

As a first step in the disciplinary procedure, the student will be heard by the ombudsperson. The report of this hearing is transmitted to the head of department without delay.

§4. Invitation for interview with the disciplinary committee:

If the hearing shows that there is reason to take a disciplinary measure, the student is invited in writing by the head of department for an interview on the facts established with the disciplinary committee.

The invitation states:

- the facts alleged against him/her for which the application of a disciplinary sanction is considered;
- the modalities for accessing the disciplinary file;
- location, day and time of the interview;
- the possibility for the student concerned to be assisted by a counsellor.

There must be enough time between the call and the interview to allow the student to gain access to the file, possibly call upon a counsellor and prepare the interview.

§5. Content of the disciplinary file

The disciplinary file contains the documents on which the indictment is supported. These documents are inspected by the student (in advance or at the very latest prior to the interview). If he/she refuses to inspect them, this will be mentioned on the relevant document in the presence of a witness.

§6. Composition of the disciplinary committee

The disciplinary committee is composed as follows:

- the head of department of the programme in which the student was enrolled as chairman;
- one Head of Department of a department other than the one in which the student was enrolled;
- the relevant campus administrator.

§7. Interview with the disciplinary committee

The student (possibly assisted by a counsellor) is heard by the disciplinary committee on the facts charged to him/her.

§8. Decision of the disciplinary committee

After the interview, the disciplinary committee takes a motivated decision. The decision for taking disciplinary action is motivated in writing by the disciplinary committee. It is served to the student with registered mail within five calendar days following the interview.

§9. Appeal

If the student contests the decision imposing a disciplinary action, he/she may lodge appeal by email at beroepsprocedure@pxl.be. The complaint has to be filed within seven calendar days following the notification of the decision.

The student hereby announces the reasons on which the complaint is based.

Upon penalty of inadmissibility the appeal must include:

- name and address of the submitting student;
- an email address where the petitioner can be reached during the current procedure;
- the date;
- a description of the decision against which the appeal is directed;
- an explanation of objections against the appeal (facts and resources);
- a copy of the decision to which the appeal relates;
- signature of the student.

Within seven calendar days following submission of the request, a decision is made whether the request is admissible or – in other words – complies formally and procedurally with the stated conditions. If this is not the case, the request is rejected with motivation.

The internal appeals committee on disciplinary action consists of:

- the general director of the University College PXL or his/her representative;
- the Director Education and Student Policy or his/her representative;
- a member of the teaching staff in charge of the educational activities of the student, appointed by the chairman;
- a member of the student council belonging to the department.

The internal appeals committee on disciplinary measures can legitimately decide when three of its members are present. It shall decide by simple majority of votes. In the event of equality of votes, the chairman shall decide. This internal appeals committee is assisted by a secretary (without voting right).

The internal appeals committee on disciplinary measures organizes, if the request is admissible, a consultation between the involved party/parties, namely the disciplinary committee and the student, possibly assisted by his/her counsellor) on the facts established.

The disciplinary committee will submit the complete disciplinary dossier to the internal appeals committee on disciplinary actions before the consultation. If the appeals committee considers it necessary, an additional investigation may be recommended.

After internal consultation, the internal appeals committee on disciplinary affairs will retreat into isolation to take a motivated decision based on the dossier and the outcome of the consultation:

- whether the disciplinary measure taken previously is maintained;
- whether the disciplinary measure is replaced by another;
- whether the disciplinary measure is withdrawn.

This decision will be announced to the student via email within 20 calendar days following submission of the internal appeal. This term is suspended during holiday periods until the next working day following this holiday period. Even if the last day of this term falls in a weekend or on a public holiday, the deadline shall be suspended until the next working day following this weekend or this public holiday.

Section 4. Entitlements of the University College to work of the student

Article 24. – Common Provisions

§1 - Scope and definitions

This regulation governs the rights of students of University College PXL on research results and the rights of students of University College PXL on the author works. These regulations are explicitly not applicable to doctoral dissertations.

These regulations are governed by the applicable Belgian intellectual property legislation, which always prevails over the provisions of these regulations in case of contradictions.

For the purposes of these regulations, the following terms will have the following meanings:

"Research results" shall mean all results from research and development which do not qualify as author works;

"Author works" shall mean all works of literature or art, as referred to in article XI.165 of the Belgian Code of Economic Law.

§2 - Dispute settlement

Disputes concerning the application of these regulations, including disputes about the proprietorship of the rights to research results or author works and publications thereof, will be submitted to the Director of Research and Service Provision, who will always seek legal advice on this. In the event of extreme urgency, the Director of Research and Service Provision may take provisional measures without obtaining prior advice, such as for example the suspension of a publication by the University College PXL. If necessary, a final decision will be taken no later than within a period of fourteen days. That period commences on the day following the written notification of the dispute to the Director of Research and Service Provision.

If the student does not agree with the (final) decision of the Director of Research and Service Provision, the student can file an internal appeal via email at

beroepsprocedure@pxl.be. At the same time, the request must also be sent by registered mail to the general director of the University College PXL. The petition shall be filed within seven calendar days from the date of the written notification of the decision. The student hereby announces the reasons underlying his request. The student can only submit an internal appeal if he/she benefits from it.

The petition must include, on penalty of inadmissibility:

- name and address of the submitting student;
- an email address at which the petitioner can be reached during the current procedure;
- the date;
- a description of the decision against which the appeal is directed;
- an explanation of the objections to the decision (facts and means);
- a copy of the decision which is subject of the appeal;
- signature of the student.

Within seven calendar days upon receipt of the petition, a decision will be made as to whether the request is admissible, or whether it meets the conditions laid down in a formal and procedural manner. If this is not the case, the request will be rejected with motivation.

If the request is admissible, the general manager organizes a consultation between the parties involved. The general manager - or his representative – shall also be present at the consultation, together with the Director of Education and Student Affairs or its representative. Together these two latter members form the internal appeal committee. A secretary, appointed within the members of the administrative staff, is also part of the internal appeals committee without the right to vote. Parties involved cannot be part of the internal appeals committee.

The general manager can also decide to hear the student separately. This may be before or after the internal consultation.

The internal appeals committee decides on the basis of the file and the results of the consultation:

- the (final) decision of the Research and Service Provision director is confirmed; or
- the internal appeals committee takes another motivated decision.

The student will be notified in writing of this decision (possibly via email) within 20 calendar days upon receipt of the petition by the general director. This period is suspended during holiday periods until the first working day after this holiday period. Even if the last day of this term falls on the weekend or on a public holiday, the term will be suspended until the first working day after that weekend or this public holiday.

The aforementioned dispute settlement system does not affect any effective remedies that the student would be entitled to.

§3 - Deviating regulation

Articles 25 and 26 of these regulations apply as general rules for the recording of rights to research results and authors' works for students of University College PXL and the students can always, whether or not in accordance with an external organization, lay down a different regulation insofar as this is done in writing. Any other regulation to the contrary will be sent to PXL Research by the relevant department for information.

Article 25. Right to Author Works

§1- Property rights

The University College PXL applies the general principle that the rights to authors' works belong to the student who has realized the work.

If an external organization or employee is involved in the financing or realization of the authors' works, the allocation of the property rights (ownership-use-publication-exploitation) must be recorded in writing between the student, the University College PXL and the external organization or employee and must be sent to PXL Research for information in accordance with article 24-§3. In connection with practice, internships and/or a bachelor's thesis, reference is made to the specific templates that have to be used for this purpose (see article 28).

§2- Right of use

For the entire duration of the rights, the student grants the University College PXL a free, inalienable, worldwide, non-exclusive right to use the author's work for non-commercial purposes being education and research. This right of use starts as soon as the student submits his/her authors work at the University College PXL and includes at least the following rights:

- The right to record and archive the work of authors for academic purposes in whole or in part on all media, including but not limited to physical and digital online media, stating the name of the student;
- The right to reproduce, publish and distribute the authors' works for academic purposes, including verification purposes by electronic means or other means, in whole or in part, in an unlimited number of copies and in any possible manner, such as inter alia – but not limited to - the use of the authors work as teaching material, the inclusion of authors' works in a (digital) database, brochure ... and the making available of the authors' works in the library of the University College PXL, with mention of the name of the student;
- Other permitted use for teaching and research, as stipulated in article XI. 19.4 °, 7 ° and 8 ° WER;
- The right to quote within the meaning of Article XI. 189 § 1 WER.

The aforementioned right of use for the University College PXL is always guaranteed by the student, even if the student proceeds to exploit his author's work.

If the University College PXL wishes to publish an author's work, the student will be informed accordingly. The student has the opportunity to request – stating his/her reasons - that the publication is postponed for an additional period of maximum three (3) months in order to protect his commercial interests.

§3 - Publication conditions

The student may publish or submit his/her author's work in whole or in part for competitions. In these cases, prior to publication, the student must request permission from the relevant head of department whether or not to mention the affiliation with the University College PXL, as well as the statement that the work was realized under the supervision of the coordinating supervisor.

Upon publication, the student respects the regulations that are applied within the discipline concerned.

The University College PXL has the right to oppose the full or partial disclosure or publication if (i) the relevant author's work contains confidential information, or (ii) if this is necessary for the protection of the rights of University College PXL or of external organizations involved, or employees within the meaning of article 25-§1. If applicable, the student has the right to

publish a summary of the authors' works or to have them published without mentioning confidential information.

Article 26. Rights to research results

§1 - Property rights

§1.1 University College PXL applies as a general principle that the rights to research results generated by the student in the context of his/her study program belong to the student.

§1.2. The only exception to this is when the research result generated by the student builds, in whole or in part, on the results of research and development that have already been realized within the University College PXL or when the research result is part of a larger research project (internally or externally subsidized projects), of scientific services or contract research. In that case, the rights belong to the University College PXL.

§1.3. If an external organization or employee is involved in financing or realizing research results, the allocation of all rights (ownership-use-publication-exploitation) must be recorded in writing between the student, the University College PXL and the external organization or employee. In connection with practice, internships and/or a bachelor's thesis, reference is made to the specific templates that have to be used for this purpose (see article 28).

§2 – Right of use

§2.1. If article 26-§1.1 applies, the student grants the University College PXL a free, inalienable, worldwide and non-exclusive right of use for non-commercial educational and research purposes from the origin of the research result for the entire duration of the rights. The student spontaneously and immediately informs his/her coordinating person responsible for the course unit of all research results that he/she generates and provides all useful information to the University College PXL, including drawings and ideas underlying the research results.

The aforementioned right of use for the University College PXL is always guaranteed by the student, even if the student proceeds to exploit his/her research results.

§2.2. If article 26-§1.2. applies, the University College PXL grants the student a free, inalienable, worldwide and non-exclusive right to use the research result for education and research from the origin of the research result for the entire duration of these rights.

§3 - Operating conditions

§3.1. If article 26-§1.1. applies, the student may exploit his/her research result that is generated within the framework of a study program at the University College PXL. In that case, prior to the exploitation, the student must request permission from the coordinating person responsible for the course unit for mentioning the affiliation with the University College PXL and/or statement that the research result has been realized under the supervision of the coordinating supervisor.

The student hereby respects the regulations that are applied within the discipline concerned.

The University College PXL has the right to oppose the exploitation if (i) the relevant research result contains confidential information, or (ii) if this is necessary for the protection of the rights of the University College PXL or of involved external organizations or employees within the meaning of article 26-§1.3. of these regulations.

If desired, the student can transfer the exploitation rights concerning his research results to the University College PXL. This is only possible by means of a written agreement.

§3.2. If article 26-§1.2. applies, the exploitation right relating to the research results only accrues to the University College PXL.

Article 27. Entry into force and cancellation provisions

These regulations enter into force as from the start of the academic year 2018-2019.

This regulation replaces all existing faculty provisions concerning works of literature and art and rights to research results.

Article 28. Practice, traineeship regulations and other departmental regulations

The practical regulations, traineeship regulations and other departmental regulations belonging to a department can be found in the study guide as a supplement to the student's education, examination and legal status regulations.

You can consult these via the website www.pxl.be

Section 5. Operation of Ombudsdepartment

Article 29. Appointment of the ombudspersons

At the beginning of the academic year, the management committee indicates at least one ombudsperson per programme (one and the same ombudsperson for multiple programmes is possible). Members of the teaching staff or employees with relevant experience in education may act as ombudsperson. Also, a substitute is appointed for every ombudsperson. In addition, a central ombudsperson will be appointed.

Article 30. Assignment of the ombudspersons

The ombudspersons will act as intermediary in disputes between students and one or more members of the staff. These disputes may relate to the application of the student's education and examination and/or legal position regulations or practices and circumstances that are considered to be unfair.

The ombudsperson is bound to safeguard the confidential nature of all meetings and conversations.

The ombudsperson of the programme will act as contact person and mediator with regard to teaching and examination problems. The ombudsperson does not act as mediator in disputes concerning course units in which he is involved or if he is related to one of the parties involved (relatives by blood or marriage up to the 3rd degree included or cohabitants and their blood and relatives up to the 3rd degree included). In such case, the substitute ombudsperson shall mediate.

The ombudsperson also acts in procedures as described in Article 11, 14, 22, 24, 28, 31, 32, 35, 40, 61, 68, 69 and 75 of the examination regulations and in the disciplinary proceedings as defined in Article 23 of these legal position regulations.