

## Financial Support Fund Regulations

Citation reference	Financial Support Fund Regulations
Date of commencement	01-09-2019
Adopted by the Executive Board	11-02-2020
Consent from University Participation Council	21-01-2020
Legal basis	Section 7.51h WHW
Short description	The Financial Support Fund Regulations provide for the establishment of a Financial Support Fund and a Financial Support Fund Committee for allocation of financial support to students who have incurred or are expected to incur a delay in studies due to, for instance, exceptional circumstances or certain board positions.

### CHAPTER 1 GENERAL PROVISIONS

#### Article 1.1 Definition of terms

- 1 The terms used in these regulations have the same meaning as the terms used in the Higher Education and Scientific Research Act, unless explicitly stated otherwise herein.
- 2 In addition, the following definitions shall apply in these regulations:
  - a student counsellor: A student counsellor of the institution;
  - b committee: the Financial Support Fund Committee as referred to in Chapter 3 of these regulations;
  - c institution: NHL Stenden Hogeschool;
  - d International student: the student registered with the institution for a full-time study programme and who does not have Dutch nationality or is treated as a Dutch citizen under a statutory provision and who cannot claim a performance-related grant in accordance with the WSF 2000;
  - e WHW: the Higher Education and Scientific Research Act;
  - f WSF 2000: the Student Finance Act 2000.

### CHAPTER 2 FINANCIAL SUPPORT FUND

#### Article 2.1 Establishment and objective of Financial Support Fund

- 1 The institution has a Financial Support Fund.
- 2 The objective of the Financial Support Fund is to offer students financial support in accordance with the provisions in these regulations.
- 3 The financial support is provided in the form of a gift.

### CHAPTER 3 FINANCIAL SUPPORT FUND COMMITTEE

#### Article 3.1 Establishment and composition of the Financial Support Fund Committee

- 1 The institution has a Financial Support Fund Committee that consists of six staff members. At least one member of the committee is a lawyer.
- 2 The members of the committee do not perform any other tasks that may stand in the way of the proper performance of their duties, their independence, and the credibility thereof.
- 3 The Executive Board appoints the members for a period of no more than four years and appoints the chairperson and the deputy chairperson. The members can be reappointed for subsequent periods of up to four years.
- 4 Membership of the committee ends:

- a by notice by the member with due regard for a notice period of one month;
  - b by expiry of the term of office;
  - c as from the date on which the employment contract between the member and the institution terminates;
  - d by a decision to that end of the Executive Board, after having heard the committee.
- 5 The Executive Board will ensure that the committee has the facilities it needs for the proper performance of its task.
- 6 The committee will receive administrative assistance from the institution's Student Info.

#### **Article 3.2 Task**

- 1 The committee decides on requests from a student to provide financial support from the Financial Support Fund.
- 2 The committee ensures that students of the institution are adequately informed about the Financial Support Fund.

#### **Article 3.3 Procedure**

- 1 The committee determines its own procedure, with due observance of the WHW and these regulations.
- 2 With due observance of the WHW and these regulations, the committee can adopt policy rules for performance of these regulations. The decision to adopt policy rules requires the approval of the Executive Board.
- 3 The chairperson of the committee determines the location where and time at which an application will be handled.
- 4 The committee is authorised to consult experts.

#### **Article 3.4 Accountability, administration and annual report**

- 1 The committee is accountable to the Executive Board.
- 2 The board shall be obliged to keep records of the financial position of the Financial Support Fund and of all activities of the committee, in accordance with the requirements ensuing from these tasks and to keep the books, documents and other information carriers in such a way that the Financial Support Fund's rights and obligations can be known from them at any time.
- 3 The committee will record the financial support provided to a student, stating the student's citizen service number and the amount of funding granted.
- 4 Every calendar year, the committee will provide an annual report on its activities, which it will submit to the Executive Board for approval within three months after the end of the calendar year.

#### **Article 3.5 Confidentiality**

Every member of the committee has a duty to observe confidentiality in respect of information which comes to their knowledge during their work and which they know, or can reasonably be expected to assume is confidential in nature except in so far as a statutory provision or court decision obliges them to disclose or the need to disclose ensues from their task.

### **CHAPTER 4 CONDITIONS FOR FINANCIAL SUPPORT**

#### **Article 4.1 Financial support because of exceptional circumstances**

- 1 The Executive Board makes arrangements for financial support of a student registered with the institution who has incurred or is expected to incur a delay in studies due to exceptional circumstances.

- 2 The exceptional circumstances referred to in the first paragraph are:
- a membership of a board of a student organisation recognised by the institution, as referred to in Appendix 1 (Grants for board members of student organisations);
  - b membership of a Programme Committee, the University Participation Council, an Academy Participation Council or a Services Participation Council;
  - c administrative or civic activities that, in the opinion of the Executive Board, are also in the interest of the institution or the education followed by the student;
  - d illness or pregnancy and childbirth;
  - e a disability or chronic illness;
  - f special family circumstances;
  - g an inadequate study programme;
  - h the Top Sports status awarded by the institution;
  - i circumstances other than those referred to in items a up to h that, if a request for financial support based on it would not be honoured by the Executive Board, would result in serious inequity.

#### **Article 4.2 Financial support because of non-renewal of the accreditation**

- 1 The Executive Board makes arrangements for financial support of a student registered with the institution for a study programme of which the accreditation is not renewed, as a result of which the student can no longer claim student financing.

#### **Article 4.3 Conditions for financial support**

- 1 A student only qualifies for financial support from the Financial Support Fund referred to in article 4.1 and 4.2, if:
- a they are registered with the institution for a study programme for which they owe statutory tuition fees; and
  - b for that study programme, they qualify or qualified for the performance-related grant for higher education as referred to in WSF 2000; and
  - c the student actually studies at the institution.
- 2 Without prejudice to the provisions in the first paragraph, a student can only claim financial support:
- a based on an exceptional circumstance that occurred no more than six months before the date the exceptional circumstance was reported to a student counsellor;
  - b based on an exceptional circumstance if they submitted a request within two years after reporting the exceptional circumstance to the student counsellor as referred to in paragraph 2 under a of this article;
  - c in the event of a delay in studies if this delay in studies totals more than one month;
  - d if they, in so far as they qualify for it, have used the option of extension of the performance-related grant with DUO.

#### **Article 4.4 Financial support of international students**

- 1 The Executive Board makes arrangements for financial support of an international student who has incurred or is expected to incur a delay in studies due to a exceptional circumstance as referred to in article 4.1.

#### **Article 4.5 Conditions for financial support of international students**

- 1 An international student only qualifies for financial support from the Financial Support Fund referred to in article 4.4 if:

- a they are registered with the institution for a study programme for which they have not been granted a degree yet; and
  - b for that study programme, they do not or did not qualify for the performance-related grant for higher education as referred to in WSF 2000, nor have the Surinam nationality;
  - c the international student actually studies at the institution.
- 2 Without prejudice to the provisions in the first paragraph, an international student only qualifies for financial support:
- a based on an exceptional circumstance that occurred no more than six months before the date the exceptional circumstance was reported to a student counsellor;
  - b based on an exceptional circumstance if they submitted a request within two years after reporting the exceptional circumstance to the student counsellor as referred to in paragraph 2 under a of this article;
  - c in the event of a delay in studies if this delay in studies totals more than one month;
  - d there are no other financial sources they can fall back on. To that end, they must demonstrate which financial allowances or form of student financing other than those referred to in the WSF 2000 they receive or have received.

## **CHAPTER 5 APPLICATION FOR, PROCESSING AND DECISION ON FINANCIAL SUPPORT**

### **Article 5.1 Application**

- 1 A student must submit an application for financial support from the Financial Support Fund with the committee by means of the dedicated form.
- 2 The application must be signed by the student and comprise at least:
  - a the date;
  - b the student's name, address and citizen service number;
  - c reasons for the application;
  - d the information and documents requested by the committee.
- 3 the committee will announce on the NHL Stenden intranet which information and documents must be submitted together with the application.
- 4 If an application is incomplete, the committee will give the student the opportunity to correct the omission within a month. If the omission is not corrected within this term, the committee may declare the student's application inadmissible.
- 5 Upon request, the student counsellor will give the student information on the application and give a recommendation for the application.

### **Article 5.2 Processing**

- 1 The committee will confirm receipt of an application to the applicant in writing as soon as possible.
- 2 The student counsellor will provide the committee with more detailed advice on the application on the latter's request.
- 3 The committee may hear persons whose opinion the committee may consider important for its decision. Employees of the institution are obliged to comply with the committee's summons and provide the information requested by the committee, unless they can claim exemption at law.
- 4 The committee will not take any decisions in which it rejects an application in whole or in part without having given the student the opportunity to speak.

### **Article 5.3 Decision**

- 1 The committee will take a decision within six weeks after receipt of the application at the latest. The committee can postpone the decision by no more than four weeks. The postponement will be communicated in writing to the student. The terms included in this article will be deferred during the institution's holiday periods.
- 2 The committee can only take a decision if at least four members are present.
- 3 Each of the members of the committee has one vote.
- 4 The committee will try to take unanimous decisions. If this proves impossible, decisions are taken with a regular majority of the valid votes cast. If the votes are tied, the chairperson will decide.
- 5 If the committee decides to grant financial support, the decision will at least mention:
  - a the duration for which financial support is granted;
  - b the amount of financial support;
  - c the time of payment.
- 6 The committee will give reasons for its decision. It may decide not to provide this substantiation if the application is approved in full.
- 7 The committee will announce its decision to the student in writing as soon as possible.

### **Article 5.4 Representation and assistance**

A student can be supported or represented by an authorised representative. The committee may request that an authorised representative submit a written power of attorney.

### **Article 5.5 Legal remedies reference**

In its decision, the committee will state who, within what term and with which authority the legal remedy can be lodged.

## **CHAPTER 6 DURATION, AMOUNT AND PAYMENT OF FINANCIAL SUPPORT**

### **Article 6.1 Duration of financial support**

- 1 In determining the duration of financial support, the committee will at least take the following into account:
  - a the duration of the exceptional circumstance;
  - b the actual delay in studies, given the educational programming;
  - c the term within which the delay in studies must be made up, given the educational programming.
- 2 The duration of financial support amounts to no more than one year per application.
- 3 If a student has used the option to extend the performance-related grant with DUO, this will be deducted from the duration of financial support and, if this is not possible, from the amount of financial support.

### **Article 6.2 Amount of financial support**

- 1 The financial support related to delay in studies because of an extraordinary circumstance as referred to in article 4.1 paragraph 2 under c up to i amounts to EUR 300,- per month.
- 2 The financial support related to delay in studies because of membership of a board of a student organisation recognised by the institution as referred to in article 4.1 paragraph 2 under a amounts to EUR 300,- per 'grant for board members'-month as referred to in Appendix 1.

- 3 The financial support related to delay in studies because of membership of a Programme Committee, the University Participation Council, an Academy Participation Council or a Services Participation Council as referred to in article 4.1 paragraph 2 under b is laid down in the Participation Facility Regulations.

#### **Article 6.3 Payment of financial support**

- 1 The financial support will be paid out in a single payment or in equal monthly instalments.
- 2 The payment will take place in or from the month in which the decision as referred to in article 5.3 of these regulations is taken.

### **CHAPTER 7 OBLIGATIONS OF THE STUDENT, CONDITIONS AND RECLAMATION**

#### **Article 7.1 Obligations of the student**

The student is obliged:

- a to do everything that may reasonably be requested of them to prevent or minimise a delay in studies;
- b to report every extraordinary circumstance that may lead to a delay in studies and an application for financial support to the student counsellor as soon as possible. The student counsellor will record this report in writing;
- c to provide the committee with all information, correct and complete, that is necessary for processing the application;
- d to inform the committee as soon as possible in writing of all facts and circumstances that may result in withdrawal or modification of the financial support;
- e to provide the committee with all requested information necessary to assess the legitimacy of the financial support provided.

#### **Article 7.2 Withdrawal, modification and reclamation**

If the student has not met the obligation under article 7.1 or a provision, the committee may decide to:

- a withdraw or modify the decision on providing financial support;
- b reclaim the financial support provided.

### **CHAPTER 8 TRANSITIONAL AND FINAL PROVISIONS**

#### **Article 8.1 Further rules, guidelines and directions**

The Executive Board may issue further rules, guidelines and directions with due regard for the provisions in these regulations.

#### **Article 8.2 Unforeseen cases and hardship clause**

- 1 The Executive Board decides in cases not covered by these regulations.
- 2 In special cases, the committee may deviate from a provision in these regulations if application would result in serious inequity. If they use this option, the committee will take a decision with due regard for the nature, content and purport of that provision and these regulations.

#### **Article 8.3 Commencement and citation reference**

- 1 These regulations will come into force on 1 September 2019.
- 2 These regulations shall be cited as: Financial Support Fund Regulations.

**Article 8.4 Authentic text**

In the event of contrariety between the Dutch text of these regulations and text in a different language, the Dutch text of these regulations will prevail.