

Readers should be aware that only the Dutch version of this Regulation has legal force. This English translation is strictly for reference and cannot be invoked as a legal tool.

Student Statute – UAntwerp **including order and disciplinary regulations for students**

(approved by the Board of Governors – 1st session dated 01/10/2003, amended in the 9th session dated 16/09/2004, the 20th session dated 30/05/2006, the 29th session dated 25/09/2007, the 42nd session dated 26/05/2009, the 80th session dated 21/01/2014, the 136th session dated 11/05/2021, the 150th session dated 9/05/2023, and the 158th session dated 25/06/2024)

I. Preamble

The University of Antwerp is an open, student-centred, democratic and pluralistic university. It aims to play a meaningful role in the realisation of an open, democratic and multicultural society through scientific research, academic education, and academic services and services to society.

Through an education in intellectual competence, social commitment and cultural work, it aims to give everyone who has the aptitudes to do so the opportunity to acquire scientific knowledge, attitudes and skills to fulfil their role and commitment in society. Against this background, the University of Antwerp wants to ensure that every study programme pays attention to the social and ethical consequences of the practice of science and later professional life and sustainable development.

The University of Antwerp is a modern learning organisation that pays constant attention to the evolving needs of students. It pays special attention to the reception and guidance of first-year students, students with migration backgrounds, students with limited socio-economic capacity, differently-abled students and students from developing countries.

The University of Antwerp acknowledges the student as a full partner. It aims to shape its students into critical and independent thinkers who are equipped to find their own way in society. A constant focus on educational innovation, promoting self-reliance and the educational professionalisation of its academic corps guarantee this. Together with the academic study programme, the University of Antwerp wishes to contribute to the personal development of students by having a comprehensive approach to their reception and guidance, with an eye for both academic as well as social and material aspects.

The realisation of the mission described above is a joint responsibility. This common character entails both obligations (the common mission) and rights (participation, for example) for all actors and levels of the university.

These principles lead to the following fundamental conclusions and practical provisions for the student community.

a. for students individually:

1. The right to pedagogically and scientifically sound education.
2. The right to information.
3. The right to tutoring and the infrastructure required for the study programme.
4. The right to psychosocial counselling; socio-financial interventions; cheap and healthy food; social housing policy; affordable physical development; cultural, social and philosophical counselling.
5. The University of Antwerp expects students to respect the declaration of principles and, in the spirit of cooperation, to show respect for members of the university community and for the material facilities provided by the community. To this end, the Deontological Committee was established.
6. The right to receive course books and/or other relevant study materials and to have these made available for each programme component through official communication channels.
7. The appointment of at least one **independent ombudsperson** responsible for education and examination issues, including an ombudsperson specifically authorised to act as a contact person and mediator in disputes with student representatives.
8. The appointment of one **student mediator**, who is authorised to mediate in **matters other than those concerning transgressive behaviour between students or between students and staff, falling under the remit of the staff/student confidential advisors.**
9. The appointment of at least one **student confidential advisor**, with the powers described in Article 33.
10. The creation of one **internal reporting point** for **transgressive behaviour** between students connected to the institution, among themselves within the educational context, and between students and staff, connected to the institution within the educational context or outside the educational context if there is a hierarchical relationship between the student and the staff member.

The internal reporting point is staffed by the student and staff confidential advisors.

b. for students as a community:

1. The right to participation and representation in the **decision-making and advisory bodies of the University of Antwerp**. This right is guaranteed by the following articles of the decree establishing the University of Antwerp:
2. To establish a **Student Consultation Committee** to be convened by the rector in consultation with the Student Council, A.S.K.-Stuwer and Unifac at least twice a year.
3. To establish a **student council** (the University of Antwerp Student Council), as the legitimate representative of students at the University of Antwerp, in accordance with the provisions of the Higher Education Code.
4. The recognition of faculty consultation bodies, consisting of the student representatives within a faculty, which are coordinated by the Student Council and act as an advisory body to the Student Council. Faculty consultation bodies may appoint a spokesperson and a vice-spokesperson per study programme. These spokespersons hold the status of student representative.
5. The right to co-administration in the development and management of student social services in the **Stuvo Council (Stuvoraad)**, in which students are represented on an equal basis with the academic authorities.
6. The recognition of the General Student Assembly (*Algemene Studentenvergadering*), A.S.K.-Stuwer and Unifac, which are responsible for facilitating student life at the University of

- Antwerp and supporting affiliated student associations.
9. The establishment of a **deontological committee**.
 10. The right to the status of **student representative**.

II. Practical provisions

Article 1 OVERSEEING THE STATUTE

The rector oversees the application of this statute.

1) THE ENROLMENT

Article 2 ENROLMENT PROCEDURE

The student enrolment procedure is stipulated in the Appendix of the Education and Examination Regulations.

Article 3 ADHERENCE TO THE STUDENT STATUTE

Once their enrolment has been finalised, the student enjoys and subscribes to the rights and obligations outlined in this Statute. PhD students who are not staff members also enjoy the rights and obligations outlined in this Statute. PhD students who are also staff members are also subject to the Personnel Statute, which takes precedence over the Student Statute in the event of concurrence or divergence of any of the provisions.

2) THE STUDENT BODIES

Article 4 STUDENT BODIES

The proper functioning of student life at the University of Antwerp is ensured by the following student bodies:

- The General Student Assembly (Algemene Studentenvergadering; the Office of the Student Council (het Bureau van de Studentenraad), A.S.K.-Stuwer and Unifac)
- Two umbrella bodies:
 - A.S.K.-Stuwer (Campus Drie Eiken, Campus Groenenborger and Campus Middelheim)
 - Unifac (Stads-campus)
- The campus-related and university-wide student associations
- The Student Consultation Committee (Studentenoverlegcomité)
- The Student Council (Studentenraad)
- The Stuvo Council (Stuvoraad)
- The Deontological Committee (Deontologische Commissie)

3) THE GENERAL STUDENT ASSEMBLY

Article 5 PURPOSE

The General Student Assembly (*Algemene Studentenvergadering*) aims to coordinate all student affairs and to ensure good cooperation between the Student Council, A.S.K.-Stuwer and Unifac. It is an assembly of students that is responsible for discussing the facilitation of student life at the University of Antwerp and for coordinating the recognised campus-related and university-wide student associations.

DURATION, MANDATE AND MEMBERS OF THE GENERAL STUDENT ASSEMBLY:

Article 6 ACTIVE PLURALISM

In the spirit of active pluralism, the General Student Assembly represents – from an independent position – the rights and interests of all students at the University of Antwerp, both internally and externally.

The General Student Assembly endorses respect for diversity: in its role as a representative, the Assembly does not discriminate on the basis of culture, origin, gender identity, sex, sexual orientation, world view or disability. In addition, it is vigilant against prejudice and does not tolerate any form of discrimination.

Article 7 OBJECTIVES

The General Student Assembly pays attention to all aspects of student life at the University of Antwerp. This includes the student's cultural, academic and social well-being. However, this cannot be considered an exhaustive list.

Article 8 COMPOSITION

The General Student Assembly is composed on an equal representation basis with members from A.S.K.-Stuwer, the Office of the Student Council and Unifac.

Article 9 MANDATE

The mandate of the General Student Assembly commences on 1 July and ends on 30 June of the following calendar year.

Once the new composition for the next academic year is announced, the competence of the current composition is limited to ongoing matters only in terms of planned activities and necessary representation of student interests. The new composition of the General Student Assembly may already make the necessary preparations for the next academic year.

Article 10 STATUTES

The Regulations of the General Student Assembly are determined by the members of the Assembly in consultation with Student Services Department and should be in accordance with this UAntwerp Student Statute. The members of the Assembly shall provide a copy of the Regulations and any amendments to the Regulations to the Student Services Department. These Regulations are also publicly available on the website of the University of Antwerp.

Article 11 ORGANISATION

The form and frequency of meetings, the method of voting and the establishment of committees are determined in the Regulations of the General Student Assembly.

Article 12 COMPETENCES

On the basis of a proposal from the General Student Assembly and in consultation with Student Services Department, the Student Council determines the procedure and conditions for the recognition of university-wide student associations. The university administration, together with the Student Council and staff representatives, lays down the code of conduct, which aims to ensure a safe place to work and study, as well as the procedure for reporting transgressions to student confidential advisors and staff confidential advisors.

Article 13 CONTINUITY

Should the General Student Assembly fail to exercise the competences granted to it, the Board of Governors is authorised to take initiative to assume these tasks and/or use any means necessary to continue the proper functioning of the institution and its bodies, after which it undertakes to ensure the functioning of the General Student Assembly again as soon as possible.

4) THE UMBRELLA BODIES (A.S.K.-STUWER AND UNIFAC)

Article 14 PURPOSE

Unifac is the umbrella student association of the Stadscampus and A.S.K.-Stuwer is the umbrella student association of Campus Drie Eiken, Campus Groenenborger and Campus Middelheim. A.S.K.-Stuwer and Unifac coordinate the activities of campus-related student clubs and student groups under their umbrella. They are the point of contact for exchanging questions and information between the university and the student clubs and student groups. They also organise activities to bring together all students from the various faculties of their respective campuses.

Article 15 'KRINGRADEN'

The campus-related student associations are divided into two 'Kringraden' (a type of council): one 'Kringraad' for the student associations related to the Stadscampus and one 'Kringraad' for the student associations related to Campus Drie Eiken, Campus Groenenborger and Campus Middelheim. Both 'Kringraden' are convened in a meeting at least three times per semester. This meeting is called the 'Kringraadvergadering' and is chaired by Unifac for student associations related to the Stadscampus and by A.S.K.-Stuwer for student associations related to Campus Drie Eiken, Campus Groenenborger and Campus Middelheim.

Article 16 STATUTES

A.S.K.-Stuwer and Unifac determine the procedure and conditions for membership to the 'Kringraad' of a campus-related student association in joint umbrella regulations and in the 'Kringraad' Regulations for campus-related articles. The internal functioning of A.S.K.-Stuwer and Unifac is determined in regulations specific to the umbrella association.

Article 17 FINANCES

Unifac and A.S.K.-Stuwer can claim a direct grant from the university, within the social sector and taking into account the financial possibilities. This grant distribution is always submitted to the Stuvo Council (Stuvoraad).

Article 18 CONSULTATION

The high boards of A.S.K.-Stuwer and Unifac meet at least three times per semester for an umbrella meeting, the main topics of which are the grant distribution for the 'Kringraad' clubs, the organisation of university-wide initiatives (including the Orientation Days), the exchange of experience and information, and the drafting and updating of joint umbrella regulations.

5) PARTICIPATION IN ACADEMIC ADMINISTRATIVE AND ADVISORY BODIES

Article 19 PARTICIPATION

Students have a say in the policies of the University of Antwerp through students elected by them in the central, intermediary and decentralised decision-making and advisory bodies in accordance with the Basic Memorandum on Academic Structure. In this, the Student Council plays a pivotal role and reasonable representation is guaranteed.

A standing item 'Student Affairs' is always listed at the top and treated as a priority item on the meeting agenda of the central, intermediary and decentralised administrative and advisory bodies responsible for educational and student affairs.

In addition, student participation implies that the bodies and authorities provide information and that student representatives regularly inform and consult with students.

Article 20 ACCESSION

Students enrolled in the academic bachelor/master programmes, the bridging and preparatory programmes, the advanced master programmes of the University of Antwerp, as well as PhD students who are not affiliated to the University of Antwerp as a member of staff and students of a postgraduate programme with a certificate are entitled to vote and stand for election.

6) ELECTIONS OF STUDENT REPRESENTATIVES TO ACADEMIC BODIES

Article 21 ELECTIONS

In cooperation with the Student Council, the University of Antwerp organises elections among students, as detailed in the election regulations. The university provides a list of all student representative mandates.

Article 22 VACANCIES

Upon enrolling as a student at the University of Antwerp, the university provides students with comprehensive information on all bodies in which students are represented. Every year, the Student Council determines the timing of elections in its election regulations. The Student Council lists the vacant mandates.

The mandates of student representatives in the various faculty councils and committees that remain unfilled after these elections (due to a lack of candidates) can be filled by interested students throughout the academic year, according to the Participation and Operational Regulations of the Student Council. However, the mandate only becomes official after notification to and registration by the Student Council.

Article 23 MANDATE

Student representatives assume their responsibilities in the context of the institution's efforts to ensure a diverse composition of the Board of Governors, the various governing bodies

that can make enforceable decisions, the various advisory councils and selection committees. The measures taken to this end are described in the election regulations.

Article 24 ELECTED PERSONS

The Student Council, with the support of the university, communicates the names of elected representatives to the bodies in which they sit, in accordance with the election regulations.

7) ELECTIONS OF STUDENT MEMBERS ON THE BOARD OF GOVERNORS

Article 25 ELECTIONS

The elections of the student members on the Board of Governors are conducted in accordance with the election regulations of the Board of Governors. The Student Council aims for a balanced distribution between the three areas of science as described in the *Basic Memorandum on Academic Structure*. No more than two-thirds of the student representatives appointed may be of the same sex.

8) THE STUVO COUNCIL (STUVORAAD)

Article 26 COMPOSITION AND OPERATION

II.342 to 347 of the Higher Education Code.

After approval of the report by the Stuvo Council, the Stuvo Council announces the conclusions of its meetings to the students at the University of Antwerp on the UAntwerp website.

Article 27

The Stuvo Council (Stuvoraad) is composed of the following voting members on an equal representation basis:

- eight student representatives, elected in the annual student elections
- eight representatives appointed by the Executive Board

Advisory members are appointed by the Executive Board. These members always participate in the meeting in an advisory capacity.

At the invitation of the chair, the meeting may also be attended by a minute-taker and/or persons for advice. These invitees are not entitled to vote.

As stipulated in the Internal Regulations of the Stuvo Council, the Stuvo Council meets at least twice a year in order to discuss the decree provisions – namely with regard to the budget, whether or not alongside the five-year policy plan, and the annual report – and other concerns.

The chair and vice-chair are elected by the Stuvo Council during the first meeting of the academic year. If the chair is a member of the delegation appointed by the Executive Board, the vice-chair will be a student member, and vice versa. In the absence of the chair, the meeting is chaired by the vice-chair.

9) THE STUDENT CONSULTATION COMMITTEE (STUDENTENOVERLEGCOMITÉ)

Article 28 STUDENT CONSULTATION

In consultation with the General Student Assembly, the rector organises a meeting between the student community and the rector at least once per semester. These meetings take place in the Student Consultation Committee, which consists of students at the University of Antwerp on the one hand and representatives of the academic authorities – appointed by the rector – on the other hand.

The purpose of this body is to check the institution's policies against the students' vision on a regular basis.

This meeting is convened by the rector and chaired by the presidents of the Student Council, A.S.K.-Stuwer and Unifac.

The Student Consultation Committee is incorporated into the academic structure of the University of Antwerp.

Both students and academic authorities can add items to the agenda.

10) THE STUDENT COUNCIL (STUDENTENRAAD)

Article 29 COMPOSITION

II.314 to 334 of the Higher Education Code. The Student Council acts as the legitimate representative of the students at the University of Antwerp.

The Student Council will be composed as follows:

- The faculty representatives elected among and by the students of the respective faculty.
- The elected students for the Education Board by faculty.
- Five freely elected students among all students.
- The students delegated from the Stuvo Council to the Student Council.
- The three students who are members on the Board of Governors and who are elected for that purpose by the General Assembly.
- The members of the Office of the Student Council appointed according to the procedure in Art. III.2.5 and III.2.6 of the Participation and Operational Regulations of the Student Council.

A member can only be a member of the General Assembly in one capacity. The accumulation of mandates is excluded, substitute mandates and mandates in the Board of Governors are not considered. In these cases, when a representative holds two mandates, their voting right is limited to one vote.

The Student Council determines its Participation and Operational Regulations. Reports are made of the General Meetings of the Student Council, which are made public.

In accordance with Article II.331 of the Higher Education Code, the Participation and Operational Regulations are adopted on the basis of an absolute majority of votes within the Student Council and submitted to the Board of Governors for notice.

The Participation Regulations shall include at least the rules of procedure and dispute settlement for exercising the participation rights of the student council and participation committees as referred to in Art. 332 of the Higher Education Code. The Participation Regulations may grant additional competences to the Student Council.

11) STATUS OF STUDENT REPRESENTATIVE IN ACADEMIC BODIES

Article 30 RIGHTS

In exercising a mandate as a student representative, the student representative fully enjoys the right to free speech. This is separate from the student's academic or disciplinary assessment. The university considers the capacity as student and the capacity as student representative to be separate capacities.

The student representative can be absent from official meetings for a valid reason, as determined by the Student Council. If possible, students' educational activities are always taken into account when drawing up the meeting calendar of the various councils and bodies on which students serve. No meetings are scheduled during the examination periods unless absolutely necessary. If a meeting is scheduled during the examination period, no items deemed student-related by the student representatives are placed on the agenda of the meeting in question.

If the student representative nevertheless deems it necessary, the examination schedule, deadlines, mid-term assessments or assessments of the person concerned will be adjusted, at the request of the student representative.

Costs associated with the reasonable execution of the student representative mandate shall always be reimbursed by the university within a reasonable period of time.

Student representatives are invited to attend related events of a mandate, equivalent to any other member.

Student representatives who travel to meetings outside the campuses as part of their mandate are always insured by the University of Antwerp.

Missing a lab or practical because of an official meeting, can never result in a student representative not being allowed to take the examination linked to these labs or practicals.

The Executive Board appoints an ombudsperson specifically authorised to act as a contact person and mediator in disputes with student representatives. The term of the mandate is four years and it is renewable.

12) OMBUDSPERSON

Article 31 CENTRAL OMBUDS

A central ombudsperson, independent of the faculties, shall be appointed to act as a contact person and mediator regarding problems related to the application of the Education and Examination Regulations and/or regarding acts and situations perceived as unjust. The regulations regarding the appointment and the competences of the ombudsperson are stipulated in the Education and Examination Regulations.

13) STUDENT MEDIATOR

Article 32 STUDENT MEDIATOR

32.1. The student mediator is appointed within the university community by the Executive Board and on the basis of a proposal from the Student Council. The term of the mandate is for four years and it is indefinitely renewable. The identity of the student mediator is announced annually, including on the University of Antwerp website.

The student mediator has the power to deal with events or behaviour **unrelated to transgressive student or staff behaviour**. For all cases that do involve transgressive behaviour, the confidential advisor is competent (see Article 33).

The following may lodge a complaint with student mediator:

- Any member of the university community who can demonstrate a personal and current interest in doing so.
- The student associations recognised by the A.S.K.-Stuwer, Unifac and the University of Antwerp, and the Student Council, when they believe that their interests have been harmed.
- The rector and deans or persons to whom they give proxy.

32.2.1. If the student mediator considers the complaint admissible, they will hear the accused student and the person who lodged the complaint, and if necessary, other parties involved. The student mediator shall inform the accused student in advance of their rights and obligations as stipulated in this Statute. If possible, the student mediator can end the dispute by reconciling the parties involved. In case the complaint requires further action, the student mediator will refer the matter directly to the Deontological Committee.

32.2.2. If the student mediator considers the complaint inadmissible or considers that the complaint does not require further review, the person who lodged the complaint may appeal to the rector. The rector hears the student mediator, the accused student, the person who lodged the complaint and, if necessary, other parties involved, after which the rector may still decide to refer the case to the Deontological Committee. If the rector is the person who lodged the complaint and appeals against the decision of the student mediator, the matter will be referred to the Deontological Committee.

32.2.3. Provided they respect the discretion of the case, the person who lodged the complaint, the victim and other stakeholders may, upon their request, be informed of the status of the mediation as well as the outcome of the mediation. The student mediator makes a discretionary decision, taking into account the gravity of the case and the sensitivity of certain information, whether to inform the person who lodged the complaint, the victim and/or other stakeholders only of the tenor of the mediation or to provide a copy of the agreements made or decision taken with the accused student.

14) STUDENT CONFIDENTIAL ADVISORS

Article 33 STUDENT CONFIDENTIAL ADVISORS

The student confidential advisors are staff members of the University of Antwerp. They are appointed by the Executive Board. The list of confidential advisors is announced annually, including on the University of Antwerp website. At least half of the confidential advisors shall not be ZAP members.

Their mandate is of indefinite duration. Confidential advisors shall receive at least five days of training, no later than six months after their appointment by the Executive Board, and shall participate in at least one peer-review ('intervision') or supervision session for student confidential advisors per year, under penalty of losing the status of student confidential advisor. The student confidential advisor works within the rules of professional secrecy referred to in Article 458 of the Criminal Code.

The student confidential advisor, the staff confidential advisor and the psychosocial welfare advisor have the right and the duty to contact one another whenever necessary. They shall make joint agreements on the central register and may exchange the necessary information to achieve the objectives mentioned in Article II.355/3, §3, of the Higher Education Code.

15) REPORTS AND ASSISTANCE TO STUDENTS IN CASE OF TRANSGRESSIVE BEHAVIOUR

Article 34 REPORTS OF TRANSGRESSIVE BEHAVIOUR

Students can report transgressive behaviour by a fellow student (including scholarship holders and PhD students), by staff or by a third party to a student confidential advisor of their choice. Students who file a report can request to have their exam attended by an ombudsperson from the University of Antwerp.

Students and staff can also report transgressive behaviour to the external prevention advisor at any time. A report to the external prevention advisor does not automatically lead to the start of deontological proceedings.

Third parties involved in work, services or deliveries on the campuses can also report transgressive behaviour to the internal prevention advisor at any time.

In case of a report to the student confidential advisor, the latter will invite the reporter for an introductory meeting within ten calendar days of the report. During this meeting, the confidential advisor informs the reporter of the various possible actions. Based on the options explained, the reporter then decides what action(s) should be taken. This choice will also be recorded in the central register.

If the reporter decides to go forward with the report, then mediation or an intervention with the persons concerned may be undertaken under the guidance of the student confidential advisor, and/or a report or intervention may be undertaken with another student or with a staff member or that staff member's hierarchical line, with the express consent of the reporter. This mediation or intervention should take place no later than 10 calendar days after the reporter has informed the confidential advisor of the action(s) they wish to take.

Mediation can only succeed if both the reporter and the person(s) involved give their explicit consent. If it is successful, the results of the mediation are recorded in a document signed by

the reporter and the person(s) involved.

During an intervention, agreements can be made and recorded in a document signed by the reporter and the person(s) involved, or only by the latter if the reporter wishes to remain anonymous.

Both the reporter and those involved are bound by a duty of discretion. This includes being discreet about the mediation and/or the agreement framework.

Article 35 TRANSGRESSIVE BEHAVIOUR COMPLAINT

If the reporter chooses to submit the transgressive behaviour directly to the disciplinary authority, the student confidential advisor will inform the student on how to take the matter up with the disciplinary authority. The reporter then becomes the complainant.

Article 36 MULTIPLE REPORTS

If multiple reports are made about the same person, the external psychosocial welfare advisor may contact the student confidential advisor or the staff confidential advisor, and it is up to them to decide whether to take further steps. However, being contacted by the external psychosocial welfare advisor is not a prerequisite; in case of multiple reports, student/staff confidential advisors may also decide to take further steps of their own accord. Requests by one or more reporters to remain anonymous should always be taken into account. In that case, only the information that enables the disciplinary authority to decide whether or not to launch a disciplinary investigation is passed on.

Article 37 ACUTE RISK

If a situation arises that poses an acute risk to students or staff, the student confidential advisor or staff confidential advisor will take the initiative proactively. This may include taking one of the possible actions for reporters, or directly informing the disciplinary authority and/or the public prosecutor.

16) REGISTRATION OF TRANSGRESSIVE BEHAVIOUR AND STORAGE PERIOD

Article 38 CENTRAL REGISTER

Every report of transgressive behaviour is recorded in the central register, which includes reports made by students and by staff members. The purpose of the central register is to gather all reports made within the institution in one digital place and to enable the institution – and specifically the external psychosocial welfare advisor – to gain a better overview of reports with common characteristics, to ensure better and more accurate follow-up, and to devise and implement appropriate measures with regard to the persons involved in a timely manner. It also allows institutions to organise quality control (with monitoring and follow-up) as regards these reports.

The central register contains the following data points:

- 1) the name and surname of the reporter
- 2) the name and surname, the job title and the capacity of any person directly or indirectly involved in the transgressive behaviour, in whatever capacity, as alleged by the reporter
- 3) a description of the reporter's statement with regard to the transgressive behaviour, including the nature of the behaviour, the time it occurred, and a factual account of events.

The central register holds:

- 1) reports of transgressive behaviour:
 - between students, connected to the institution, among themselves and within the educational context, or
 - between students and staff, connected to the institution within the educational context or outside the educational context if there is a hierarchical relationship between the student and the staff member;
- 2) reports under the Belgian Act of 4 August 1996 on the well-being of workers in the performance of their work.

Only the psychosocial welfare advisor, staff confidential advisors and student confidential advisors have access to the central register.

Reporters have the right to ask the confidential advisor not to include their name in the register. In that case, the confidential advisor will ensure anonymised registration to the greatest possible extent. The confidential advisor shall inform the reporter that this has consequences for the follow-up of the case. One consequence in particular is that the reporter cannot refer the case to the Deontological Committee, given the rights of defence of the accused student. After all, the latter should be able to argue a defence or explain the charges brought against them.

The statements with regard to the events are kept in the central register for five years if all parties involved are students; for ten years if a staff member is involved; and for thirty years if the report concerns criminal acts. The information storage period starts on the day the staff member or student had their statements recorded.

If a new report is filed concerning a person already mentioned in the register, the storage period of the previous report is extended as well, calculated from the date the new or additional report was recorded.

Student confidential advisors also keep individual files for each report. Each file should contain a record of the events having to do with the transgressive behaviour and identification details of any person directly or indirectly involved in the transgressive behaviour, in whatever capacity, as alleged by the reporter. The file also lists what actions have been taken. If the reporter wishes to keep their name out of the individual file, the confidential advisor will ensure anonymised registration to the greatest possible extent. The confidential advisor shall inform the reporter that this has consequences for the follow-up of the case. (see above: possible consequences)

Neither the reporter nor the person(s) concerned shall have access to the central register or the individual file, nor can they be told whether their name appears in it, nor what statements were recorded.

17) ORDER MEASURES

Article 39 SCOPE

The order measures apply to all students at the University of Antwerp, including guest and exchange students. They also apply to PhD students who are not staff members. PhD students who are also staff members are subject to the order measures that apply to staff members.

Article 40 COMPETENCES

40.1. Lecturers oversee the orderly conduct of their teaching and examination activities. In doing so, they are entitled to take appropriate temporary measures against students who do not respect the Student Statute or who create an unsafe situation, in order to restore order and

ensure safety. These temporary measures include telling a student to leave the classroom and a ban on entering the classroom. The temporary measures will last no longer than forty-eight hours. These order measures are not subject to appeal.

40.2. In addition, the rector and the deans or persons to whom they give proxy have the right, in all circumstances – including outside a disciplinary case – to take with immediate effect all urgent and necessary protective measures to safeguard the order and safety of the university. These order measures shall be valid for a maximum of 14 calendar days. The Vice-Rector for Education and the Dean of the faculty must always be informed of any order measures taken. These order measures are not subject to appeal.

40.3 If there are serious indications that a student has violated their obligations as referred to in Article 45, a preventive suspension may be imposed on the student as an order measure for a maximum of six months. This means that for the duration of the suspension, the student will be denied access, in whole or in part, to the campus and/or to the university's electronic platforms. The preventive suspension as well as the duration in the context of a violation of Article 45 must be justified in the notification. Prior to issuing the preventive suspension – unless urgency prevents it – the rector, the dean or the person to whom they have given proxy shall hear the student concerned, as well as the student mediator, if the latter was involved.

40.4 If it is appropriate to maintain an order measure for longer than 14 calendar days, the Vice-Rector for Education may impose an order measure after having summoned and heard the student. If the student does not respond, or in urgent cases, the order measure may be imposed without hearing the student first. The student may seek assistance from a person of their choice during this hearing. Order measures imposed by the Vice-Rector for Education may supplement or replace the order measure imposed by the rector/deans or the persons to whom they give proxy. The order measures imposed by the Vice-Rector for Education always fall within the framework of a disciplinary procedure they are authorised to initiate, and are always motivated and notified to the student as soon as possible, and at the latest within five working days. Notification shall be in writing; this can be an email to the student's official student email address. The dean of the faculty is always informed.

40.5 Order measures lasting up to forty-eight hours can be imposed orally.

Order measures of a longer duration can also be imposed orally, but must be confirmed in writing within forty-eight hours; this can be an email to the student's official student email address. Proof that the email was sent to the student email address and/or delivery of the written confirmation shall constitute valid notification. This confirmation should include a brief justification for the order measure taken.

40.6 The student has the right to provide comments or information to the person imposing the order measure on the student. This person should then consider whether the order measure is reasonable and proportionate in view of the comments and information, and should notify their decision, including a brief justification, to the student within two working days. This written notification can be an email to the student's official student email address.

Article 41 TRANSPARENCY

The rector, dean or proxy shall always report to the Vice-Rector for Education and to the dean of the faculty, even if they decide not to temporarily suspend the student concerned.

Article 42 CONSEQUENCES

In the case of a preventive suspension issued as an order measure under Article 40.3, the Vice-Rector for Education shall initiate a disciplinary investigation within seven calendar days of the measure being taken.

If the student was not heard before the order measure was taken due to extreme urgency, the Vice-Rector for Education shall hear the student no later than seven calendar days after the order measure was taken. The urgency should be duly justified in the written invitation to the hearing, which can be sent to the student's official student email address.

If the Vice-Rector for Education subsequently decides to withdraw the order measure taken, they shall report this to the Deontological Committee and the Executive Board. On the other hand, if the Vice-Rector for Education decides to retain the measure in question, with or without adjustment, they shall refer the matter to the Deontological Committee after the preliminary investigation for disciplinary proceedings on the merits.

The preventive suspension as confirmed or amended by the Vice-Rector for Education shall not exceed six months. However, the duration of the order measure may exceed six months if the student concerned is the subject of a criminal investigation or prosecution.

After receiving notification of their preventive suspension under Article 40.3 by the rector, the dean, the proxy or the Vice-Rector for Education, the student has seven calendar days to appeal against the decision of preventive suspension by registered mail to the Executive Board.

Article 43 APPEAL

The Executive Board acts as the Appeal Body and may confirm, lift, reduce in duration or extend the preventive suspension, or change its contents.

If the student submits an appeal, they will be summoned to be heard at the next regular meeting of the Executive Board and present their defence. The student may seek assistance from a person of their choice. An official report is drawn up of the hearing at the Executive Board. If the summoned student fails to appear, an official report of non-appearance will be drawn up. The Executive Board may adjourn the case in order to have a new summons sent or to give the defence more time. In the event that the rector was involved in the decision about the temporary suspension, the rector will be substituted as chair when the appeal is heard by the Executive Board, as stipulated in the board's Internal Regulations. Other members of the Executive Board who were involved in the decision should abstain from the appeal hearing and from voting. The hearing will take place behind closed doors. The vote is done in secret and in writing. The Executive Board reaches a decision by a simple majority vote. The appeal is suspensive until the Executive Board reaches a decision.

The decision of the Executive Board is communicated to the student by the Chair of the Executive Board by registered mail. A copy of this letter shall be delivered to the Deontological Committee, to the Vice-Rector for Education, and to the dean of faculty concerned.

If the Executive Board lifts the preventive suspension, the student's rights will be restored.

18) THE DEONTOLOGICAL COMMITTEE – DISCIPLINARY REGULATIONS

Article 44 SCOPE

The disciplinary regulations apply to all students at the University of Antwerp, including guest and exchange students.

They also apply to PhD students who are not staff members. PhD students who are also staff members are subject to the order and disciplinary procedures that apply to staff members.

Article 45 APPROPRIATE CONDUCT

Through their behaviour, language and attitude, students – as well as all other members of the university community – have a duty to show respect for people, for the university, for everyone working or studying at the University of Antwerp, and in a broader sense for society and its goods, both within and outside the university community.

Both staff and students shall respect international and constitutional principles on human rights, behaving in an appropriate manner in their mutual relations.

In line with the Well-being Act applicable to staff at the University of Antwerp, students and student associations have a duty to contribute positively to the protection of their fellow students from violence, bullying and sexual harassment on or off campus; to refrain from any act of violence, bullying or sexual harassment on or off campus; and to behave in accordance with the code of conduct, which aims to ensure a safe place to work and study.

Students may only participate in student initiation activities organised by student associations that have acknowledged the applicable student initiation charters. The list of these associations is announced to all students every year at the beginning of the academic year. All student initiation activities should always take place in areas accessible at least by members of the university community and emergency services.

If a student violates these provisions in a serious manner that could harm the university and/or a member of the university community, a disciplinary procedure may be initiated.

The use of false certificates, degree certificates and diplomas can also give rise to a disciplinary procedure.

The initiation of a criminal investigation does not necessarily suspend the disciplinary procedure.

Article 46 DISCIPLINARY BODIES

46.1. The disciplinary bodies are:

46.1.1. VICE-RECTOR FOR EDUCATION:

Complaints relating to transgressive student behaviour are lodged with the Vice-Rector for

Education, and not with the student mediator.

Students may lodge a complaint relating to transgressive behaviour of fellow students directly with the Vice-Rector for Education.

The Vice-Rector for Education is authorised to conduct preliminary investigations into complaints regarding transgressive student behaviour.

The Vice-Rector for Education is authorised to mediate between the complainant and the accused student during these preliminary investigations.

The Vice-Rector for Education may delegate these powers to one or more persons in the framework of the disciplinary procedure. This can be the Student Mediator, but only insofar as the Student Mediator has not previously been involved in any procedures relating to these events.

The delegation of the power to conduct preliminary investigations after receiving a specific complaint is always done in writing.

46.1.2. DEONTOLOGICAL COMMITTEE

The Deontological Committee is authorised to take cognisance of a complaint after referral of the complaint by the Vice-Rector for Education to the Deontological Committee.

The Deontological Committee can only hold a valid meeting when at least half of its members are present.

46.1.3. EXECUTIVE BOARD

The Executive Board of the University of Antwerp acts as an appeal body against the decisions of the Deontological Committee. In the appeal hearing of complaints relating to transgressive behaviour by fellow students, the Vice-Rector for Education shall refrain from participating in the decision-making process, even if preliminary investigations were carried out by an authorised representative.

Article 47 CONFIDENTIALITY

All members of the disciplinary bodies are bound to secrecy.

Artikel 48 PRELIMINARY INVESTIGATIONS BY THE VICE-RECTOR FOR EDUCATION OR THEIR PROXY

Lodging a complaint

48.1. The following may lodge a complaint with the Vice-Rector for Education:

- a) Any member of the university community who can demonstrate a personal and current interest in doing so. Students wishing to lodge a complaint regarding transgressive behaviour by fellow students can do so after reporting the behaviour to (and possibly having actions taken by) a student confidential advisor, or they can lodge the complaint directly.
- b) A.S.K.-Stuwer, Unifac and the student associations recognised by the University of Antwerp, and the Student Council, when they believe that their interests have been harmed.
- c) The rector and deans or persons to whom they give proxy.

- d) The Vice-Rector for Education may also initiate disciplinary investigations ex officio.
- e) Student and/or staff confidential advisors, in the event that there are multiple reports against the same individual.
- f) Student and/or staff confidential advisors if a situation arises that poses an acute risk to students or staff, and this in compliance with the rules of professional secrecy set out in Article 458 of the Criminal Code.
- g) When disciplinary proceedings are initiated by a student or staff confidential advisor, only the information that enables the disciplinary authority to decide whether or not to launch disciplinary investigations is passed on to the Vice-Rector for Education.

Checking admissibility

48.2. The Vice-Rector for Education shall inform the complainant within five working days by registered letter whether or not the complaint is admissible. If the Vice-Rector for Education deems the complaint inadmissible or considers that the complaint does not require further review, they shall notify both the complainant and the accused student of this. The complainant may appeal this decision by registered letter addressed to the chair of the Deontological Committee within seven days of receiving this notification. The Deontological Committee then takes on the case directly, examining it without any further preliminary investigations by the Vice-Rector or their proxy.

Preliminary investigations into an admissible complaint

48.3.1. If the complaint is admissible, the Vice-Rector for Education or their proxy shall notify the accused student in writing of the charges brought against them within five working days. Such notification shall be done by registered mail, with a copy sent to the accused student's official student email address. The date of sending the registered letter counts as notification within the deadline.

48.3.2. The Vice-Rector for Education or their proxy shall hear the accused student and the complainant (if the latter so wishes) and, if necessary, any other parties involved, within 14 days of the complaint being declared admissible. The Vice-Rector for Education shall inform the accused student in advance of their rights and obligations as stipulated in this Statute.

48.3.3. The Vice-Rector for Education or their proxy may end the dispute by reconciling the parties involved, even after previous reconciliation attempts by a confidential advisor or the external prevention advisor. The Vice-Rector for Education or their proxy can decide at their own discretion whether or not to attempt reconciliation, and they may also initiate preliminary investigations immediately, without having to give reasons.

48.3.4. If the attempt at reconciliation is successful, a memorandum of understanding will be drawn up for the accused student to sign. This memorandum of understanding suspends the disciplinary proceedings. In case of non-compliance by the accused student with the agreements in the memorandum, the proceedings may be resumed from the point where they were suspended at the request of any stakeholder. The memorandum will mention the time period during which it will apply and within which the agreements must be fulfilled. After expiry of this period or these periods, the memorandum will be null and void. The memorandum of understanding is part of the disciplinary dossier and can therefore also be communicated to the Deontological Committee if a referral follows.

48.3.5. Preliminary investigations are conducted within a reasonable period of time, taking into account the complexity and seriousness of the case and the availability of those

involved. If these preliminary investigations take longer than 15 full working days, the Vice-Rector for Education should justify why investigations are taking longer.

End of preliminary investigations

48.4.1. The vice-rector or their proxy shall prepare a report on the preliminary examinations. If the Vice-Rector for Education deems that the facts are proven but not serious, they may pronounce the lightest sanction, which is an admonition of the accused student. This sanction can be imposed only once for an analogous offence. A subsequent sanction will automatically be more severe and include a referral to the Deontological Committee. The accused student may appeal this admonition to the Deontological Committee within seven days of receiving the registered letter notifying them of the admonition. The Deontological Committee then decides whether to either confirm the admonition or quash it. There is no internal appeal against that decision.

48.4.2. If the Vice-Rector for Education decides to refer the case to the Deontological Committee, they shall notify the accused student in writing. Such notification shall include a description of the charges and shall be done by registered letter.

Article 49 PROCEDURE FOR THE DEONTOLOGICAL COMMITTEE

Composition of the Deontological Committee

49.1. Disciplinary procedures before the Deontological Committee are dealt with by the disciplinary body in the composition it had at the start of the disciplinary procedures, except if this is not possible, for example because certain student members are no longer students at the University of Antwerp, or if this is not desirable. The decision to change the composition should be communicated formally, in writing and with due justification to the accused student. In the event of a newly composed disciplinary body, the accused student and any witnesses on either side shall be heard again. If any witness is unable or unwilling to testify again, that testimony should be assessed with caution.

49.2. The Deontological Committee is composed of three representatives from the A.S.K.-Stuwer and Unifac representatives from the General Student Assembly and three representatives from the Student Council; only they are entitled to vote. The Deontological Committee may seek assistance from a minute-taker. The Deontological Committee is free to invite the central ombudsperson. The Deontological Committee may seek assistance from internal or external jurists or other experts. These parties only play an advisory role and do not participate in voting.

49.3. Membership on the Executive Board is not compatible with membership on the Deontological Committee. If a member on the Deontological Committee has a personal interest in a case pending before the Deontological Committee, the body that appointed them shall immediately appoint a substitute.

Sanctions

49.4.1. The Deontological Committee may take one of the following disciplinary actions or a

combination thereof:

- a) an admonition. This sanction can be imposed only once for an analogous offence. A subsequent sanction will automatically be more severe.
- b) a ban on using certain services/facilities or on attending certain educational and learning activities;
- c) an individually adapted remedial or behavioural-remedial disciplinary measure;
- d) a ban on participating in one or more examination activities or one or more programme components;
- e) a suspension for a specified period, in whole or in part;
- f) an exclusion from the current and/or one or more subsequent academic years;
- g) a permanent exclusion.

The Deontological Committee may set additional conditions if necessary.

The distinction between disciplinary actions and academic assessments should be preserved.

49.4. 2.

The suspension referred to in 49.4.1 e) implies that the execution of the contract with the student is suspended in full or in part for the period determined, with the exception of the student's obligations under the Student Statute – UAntwerp. The suspension does not lead to the suspension of deadlines or ongoing time frames. The suspension includes a general ban on using the university's services and on participating in educational, learning and examination activities during the suspension.

The exclusion as referred to in 49.4.1 f) and g) leads to the loss of the status as UAntwerp student and a ban on re-enrolling during the period of the exclusion.

The sanction as mentioned in 49.4.1 b), d) or e) is pronounced for the duration of the current academic year at the most.

The exclusion shall be treated as a suspension until the appeal period expires.

49.4.3. In all cases where a sanction is issued, it will be recorded in the internal student file.

49.4.4. The imposition of the disciplinary sanctions mentioned in 49.4.1 cannot give rise to a reimbursement of tuition fees owed to UAntwerp and/or fees for study materials, study activities and/or rental fees. Any unpaid fees remain due.

Way of working of the Deontological Committee

49.4.5. Unless there are new elements that justify reopening the case, no one can be subjected to disciplinary proceedings for facts that have previously been the subject of disciplinary proceedings.

49.5. If the Deontological Committee is called, as soon as possible it invites both the accused student and the person who lodged the complaint by registered mail to hear them, and notifies

the dean of the faculty concerned that proceedings have been initiated against the accused student. The accused student may call witnesses and seek assistance from the person of their choice. Where relevant, the Deontological Committee also hears the student mediator and may hear witnesses. An official report will be drawn up of this session or these sessions. If the summoned student fails to appear, an official report of non-appearance will be drawn up. Any absence of any of the other summoned persons (such as the person who lodged the complaint, the victim, the student mediator) shall be explicitly mentioned in the official report.

The Deontological Committee may hold several sessions. To the extent possible and taking into account the seriousness of the complaint, the first hearing shall be held within 14 calendar days of receipt of the complaint by the Deontological Committee.

The Deontological Committee aims to finalise cases within three months of receipt. If this is not possible, the Deontological Committee shall justify why it needs more time to reach a decision and give an estimate of the time still needed. This justification and the estimate of the time required will be communicated to the accused student.

49.6. The reasoned decision of the Deontological Committee shall be communicated to the accused student by registered mail within a week of the decision. The rector, the dean of the faculty concerned and the student mediator will receive a copy of the letter containing the decision of the Deontological Committee.

The person who lodged the complaint and the victim and other stakeholders may, at their request, be informed of the status of the proceedings. However, the Deontological Committee makes a discretionary decision, taking into account the gravity of the case and the sensitivity of certain information, whether to inform the person who lodged the complaint, the victim and/or other stakeholders, at their request or otherwise, of the tenor of the decision or to inform them of the content of the decision and/or the reasons behind it.

49.7 The rector is responsible for executing the possible sanction.

Article 50 APPEAL TO THE EXECUTIVE BOARD

50.1. After receiving the registered letter, the accused student has one week to file an appeal by registered mail to the rector as chair of the Executive Board. The Executive Board acts as the Appeal Body, assesses the merits of the case and may confirm, reduce, increase or remit the sanction.

50.2. If the accused student submits an appeal, they will be summoned to be heard at the next Executive Board and present their defence.

The Executive Board may also hear the person who lodged the complaint, the student mediator and any other stakeholder or witness.

The Executive Board may adjourn the case in order to have a new summons sent or to give the defence more time.

An official report will be drawn up of this hearing. If the summoned student fails to appear, an official report of non-appearance will be drawn up.

50.3. The appeal hearing will take place behind closed doors. The student may seek assistance from a person of their choice. The vote is done in secret and in writing. The Executive Board

reaches a decision by a simple majority vote. The Executive Board may seek assistance from internal or external jurists or other experts. These parties only play an advisory role and do not participate in voting.

50.4. The appeal is suspensive until the Executive Board reaches a final decision.

50.5. The decision of the Executive Board is communicated to the accused student by the rector by registered mail. A copy of this letter will be delivered to the dean of faculty concerned.

50.6. The rector is responsible for executing the possible sanction.