

# **Faculty Regulations Rotterdam School of Management, Erasmus University 2021**

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# Chapter I – Definitions

## Article 1.1 – Definitions

1. For the purposes of these Regulations, the terms below are defined as follows:
  - AWB: (*Algemene wet bestuursrecht*) the Dutch General Administrative Law Act;
  - BBR-EUR: the applicable Management and Administrative Regulations of Erasmus University Rotterdam;
  - Management instructions: regulation concerning the Sub-mandates and Sub-powers of attorney within the faculty, adopted by the Dean;
  - Decision: a Written decision of an administrative body, containing a public-law legal action, as referred to in Article 1:3 of the AWB;
  - Academic Department: a department within the faculty in which Officers work;
  - Academic Department members: Officers allocated to an Academic Department;
  - Board: the Executive Board of Erasmus University Rotterdam;
  - Dean: head of the faculty, referred to in Article 9.12 of the Higher Education and Research Act (WHW);
  - EUR: Erasmus University Rotterdam;
  - Faculty Council: participation body of the faculty consisting of Students who have enrolled and are admitted to the faculty, and faculty Staff, referred to in Article 9.37 of the WHW;
  - Officer: Staff or person with another title working for the faculty, with or without a defined position (SAP-HR);
  - OER: Teaching and Examination Regulations, referred to in Article 7.13 of the WHW;
  - Staff: the person who has an employment contract with EUR;
  - Staff delegation: part of the Faculty Council or Programme Committee elected from (and for the Faculty Council by) the Staff;
  - Regulations: Faculty Regulations;
  - Written, In Writing: In Writing or 'by electronic means', as referred to in Section 6:227a of the Dutch Civil Code;
  - Students: those enrolled in EUR and admitted in conformity with Chapter 7, title 3 of the WHW;
  - Student delegation: part of the Faculty Council or Programme Committee elected from (and for the Faculty Council by) the Students;
  - Sub-administrator: the person charged by, in the name of and under the responsibility of the Dean with the execution of the Sub-mandates and Sub-powers of attorney within his own administrative sub-unit;
  - Sub-mandate: tasks under administrative law mandated by the Dean, Sub-administrator or Officer to a Sub-administrator or Officer;
  - Sub-power of attorney: administrative tasks under private law given by a Dean, Sub-administrator or Officer to a Sub-administrator or Officer;
  - WHW: The Dutch Higher Education and Research Act.
2. Where 'he' is used in these Regulations, 'she' can also be used, and vice versa.
3. Where the singular is used in these Regulations, the plural can also be used, and vice versa.

# Chapter II – Administration and Management of the faculty

## Title I – General

### Article 2.1 – Appointment, reappointment, suspension or dismissal

1. The Dean is responsible for appointment, reappointment, suspension or dismissal with respect to the following positions:
  - a. Academic Department Chair;
  - b. Dean of Education;
  - c. Programme Director;
  - d. Dean of Research;
  - e. Dean of Faculty;
  - f. Dean of Engagement and Partnerships;
  - g. Graduate faculty Director of which RSM is coordinating partner;
  - h. Scientific Director of the Research Institute of which RSM is coordinating partner;
  - i. Members and the Chair of the Examination Board; and
  - j. Members of the Programme Committee.
2. In principle, the appointment applies for a term of four (4) years, with the exception of the Faculty's Director of Operations.
3. In principle, reappointment is possible only once (1).
4. The Dean reserves the right not to appoint anyone to the positions referred to in Article 2.1 paragraph 1, with the exception of subsections c, i and j, and to reserve for himself the tasks and powers to be acquired by means of a Sub-mandate or Sub-power of attorney, insofar as the WHW, the BBR-EUR and these Regulations do not provide for exceptions.
5. The positions referred to in Article 2.1 paragraph 1, subsections a up to and including i, cannot be members of the Faculty Council, the Programme Committee or the Examination Board.

### Article 2.2 – Exercising authority

1. An administrative authority or regulatory authority can only be exercised if an Officer has obtained a Sub-mandate or a Sub-power of attorney.
2. The issuer of the Sub-mandate or Sub-power of attorney can establish further rules to the Sub-mandate or Sub-power of attorney.
3. An Officer exercises the administrative authority or regulatory authority within the framework provided by the issuer of the Sub-mandate or Sub-power of attorney.

## Title II – Faculty Board

### Article 9.12 WHW – Faculty; Dean

1. The education and the practice of science take place in the faculty. The faculty is headed by the Dean of the faculty.
2. Notwithstanding the first paragraph, the Administration and Management Regulations may provide that the faculty is headed by a Board, consisting of the Dean of the faculty, also the chair, and one or more other members. If the first sentence applies, a Dean is also understood to mean the Faculty Board in this title and in title 2, with the exception of Article 9.13, fourth and sixth paragraphs. If the faculty is headed by a Board of several persons, a student of the respective faculty will be given the opportunity to attend the meetings of this

- Board, at which meetings this student will have an advisory vote. The Administration and Management Regulations stipulate the way in which the student referred to in the previous sentence is designated.
3. If a university only comprises a faculty:
    - a. the Rector Magnificus will also be the Dean;
    - b. the faculty will be headed by a Board;
    - c. a Dean will also be understood to mean the Faculty Board in this title and in title 2, with the exception of Article 9.13, fourth and sixth paragraphs; and
    - d. the tasks and powers of the Faculty Board will be exercised by the Executive Board.
  4. A member of the Faculty Board cannot also be a member of the Faculty Council of that faculty.

#### Article 9.13 WHW – Appointment and dismissal of the Dean

1. The Dean is appointed, suspended and dismissed by the Executive Board. The Dean is appointed for a term to be determined by the Executive Board.
2. Before appointing or dismissing the Dean, the Executive Board hears the Faculty Council of the respective faculty about the intended appointment or dismissal decision. Title 2 of this chapter is not applicable. The hearing takes place at a time that it can have a material influence on the decision-making.
3. The Dean can be suspended or dismissed prematurely for compelling reasons.
4. The Dean has the capacity of full professor.
5. If the faculty is headed by a Board as referred to in Article 9.12, second paragraph, the first, second and third paragraphs will apply *mutatis mutandis*.
6. This article will not apply if the Rector Magnificus is also a Dean.

#### Article 9.14 WHW – General tasks and powers of the Dean; Faculty Regulations

1. The Dean is responsible for the general management of the faculty. The Dean is also responsible for management and structure of the faculty regarding education and academic practice.
2. The Dean cooperates in managing the university, among other things by consulting with the Executive Board on preparing the institution plan and the budget plan.
3. Without prejudice to Article 9.5, the Dean adopts the Faculty Regulations stipulating further rules on the management and structure of the faculty.
4. The Faculty Regulations require the approval of the Executive Board. The approval can only be refused if it is in contravention of the law or the general interest.
5. If within a term to be determined by the Executive Board the Faculty Regulations have not been adopted in full or have not been adopted at all, the Executive Board will adopt the Regulations or the missing part.

#### Article 9.15 WHW – Other tasks and powers of the Dean

1. Without prejudice to Article 9.5, the Dean is also charged with:
  - a. adopting the Teaching and Examination Regulations, referred to in Article 7.13, as well as their regular assessment;
  - b. adopting the general guidelines for scientific practice;
  - c. adopting the faculty's annual research programme;
  - d. supervising the execution of the Teaching and Examination Regulations and the annual research programme, and reporting on this to the Executive Board on a regular basis;
  - e. setting up the Examination Boards and the Committee, referred to in Article 7.29, first paragraph, as well as appointing the members of these Committees;
  - f. the implementation of Articles 7.8b and 7.9, with the exception of designating study programmes, referred to in Articles 7.8b, third paragraph, and 7.9, first paragraph;
  - g. adopting further rules on the way in which exemption as referred to in Articles 7.25, fourth paragraph, 7.28, second up to and including fourth paragraph, and 7.29, first paragraphs, can be obtained;
  - h. the implementation of Article 7.30c;
  - i. entering into joint regulations for the benefit of one or more study programmes with one or more Deans from other Faculties;
  - j. the implementation of Articles 6.7a and 7.9b; and
  - k. adopting the procedures and criteria with respect to recognising competencies obtained.
2. The Dean exercises the right of recommendation, referred to in Article 7.19, second paragraph.
3. In the Administration and Management Regulations, the rules are stipulated with respect to the power, referred to in the first paragraph, subsection i.

#### Article 9.16 WHW – Accountability and information obligation of the Dean

The Dean is accountable to the Executive Board. He submits the requested information about the faculty to the Executive Board.

### Article 2.3 – Faculty Board (Article 9.12 WHW)

1. The Faculty Board of the faculty is formed by the Dean.
2. The Dean is charged with the management of the faculty.

### Article 2.4 – Dean (Articles 9.12, 9.13, 9.14, 9.15, 9.16 WHW, 4.3 BBR-EUR, title XI BBR-EUR)

1. The Dean is appointed, suspended and dismissed by the Executive Board.
2. Pursuant to the WHW, the Dean has statutory tasks and powers.
3. In addition to the statutory tasks and powers, the Dean has administrative tasks, as described in the BBR-EUR.

### Article 2.5 – Absence, incapacity of the Dean

1. Within the faculty, an Officer can replace the Dean in the event of the latter's absence or incapacity. In that case, the Officer will exercise the Dean's tasks and powers.
2. The Dean shall appoint a Deputy-Dean from the positions referred to in Article 2.1 paragraph 1, subsections b up to and including g, as to who will take over the management tasks of the Dean in his absence. The Deputy-Dean is appointed by the Dean in Writing, by means of a Decision of the Administrator. If both the Administrator and the Deputy-Dean are absent or unavailable, the Faculty's Director of Operations will take charge of the management tasks.
3. The Officers referred to in the preceding paragraph are accountable to the Dean and shall provide him with the necessary information.

### Article 2.6 – Management Team

1. Members of the Management Team advise the Dean on decisions to be made about operational management, budget plan, policy, research and education of the faculty and the smooth running of things in the faculty, as well as advising on strategy and cooperation with Rotterdam School of Management B.V.
2. The Management Team, of which the Dean is a member and the chair, consists in any case of:
  - a. the Dean of Education;
  - b. the Dean of Research;
  - c. the Dean of Faculty;
  - d. the Dean of Engagement and Partnerships;
  - e. the Faculty's Director of Operations; and
  - f. the Dean of Executive Education of the Rotterdam School of Management B.V.;
3. The Management Team meeting is a closed meeting.
4. The Dean may invite persons to attend the Management Team meeting.
5. A secretary is responsible for coordinating the preparation of the Management Team meetings and for coordinating the implementation of the decisions taken by the Dean.
6. The Dean, supported by the members of the Management Team, is responsible for the communication of the deliberations in the meetings and the adopted decisions on which the Management Team has advised, unless compelling interests of EUR, the faculty or of a party involved oppose this.
7. The Dean shall inform the Management Team of decisions taken outside the meeting.

## Article 2.7 - Dean of Faculty

1. The Dean of Faculty is responsible for faculty policy and matters related to academic staff.
2. The Dean of Faculty preferably holds the position of full professor within the faculty.
3. The Dean of Faculty is charged with:
  - a. developing an overall faculty plan, policies and processes related to academic staff at all levels of seniority and activity areas/focus;
  - b. working with the Academic Departments on succession planning for key management and advisory positions in the school, and advising the Dean accordingly;
  - c. supporting the Academic Departments in the recruitment of well-qualified academic staff;
  - e. creating and maintaining a uniform and transparent system for faculty remuneration, faculty qualifications and workload distribution within the faculty;
  - f. the responsibility for setting up and periodically reviewing the tenure track system at RSM and its inherent standards and processes;
  - g. composing the Appointment and Advisory Committee for the appointment of professors; and
  - i. the faculty's diversity policy.
4. The Dean of Faculty is accountable to the Dean and provides him with the necessary information.

## Article 2.8 - Dean of Engagement and Partnerships

1. The Dean of Engagement and Partnerships is responsible for the engagement policy and all matters related to engagement.
2. The Dean of Engagement and Partnerships preferably holds the position of full professor within the faculty.
3. The Dean of Engagement and Partnerships is charged with:
  - a. developing policies and defining key strategic objectives related to engagement and cooperation activities, and developing appropriate strategies and action plans needed to implement these objectives;
  - b. developing relationships within and outside EUR, with organisations from the public and private sectors, academic entities and funding organisations with which the faculty wishes to collaborate;
  - c. developing the capabilities of the faculty's academic staff to implement the engagement agenda, and developing the support organisation to facilitate this in the most optimal manner;
  - d. defining principles and criteria for assessing engagement activities and formulating guidelines in line with the mission and objectives of the faculty, the principles of good governance, the code of scientific integrity and applicable laws and regulations;
  - e. integrating engagement-related activities into doctoral, incentive and reward systems; and
  - f. monitoring engagement activities, documenting them and monitoring their quality.
4. The Dean of Engagement and Partnerships is accountable to the Dean and provides him with the necessary information.

## Article 2.9 – Academic Departments (Articles 4.3, 4.4 BBR-EUR)

1. The faculty has one or more Academic Departments to promote the coordination and interrelationship of activities in academic fields, as well as to promote the interrelationship of education and research.
2. The Dean may set up one or more Academic Departments, merge them or dissolve them.



3. The academic staff of the Academic Departments have the task of further developing the specialist field in which they work, and are charged with providing education, conducting academic research and transferring knowledge for the benefit of society.

## Article 2.10 – Academic Department Chair

1. The Academic Department Chair preferably holds the position of full professor.
2. The Academic Department Chair is charged with:
  - a. the day-to-day management of an Academic Department;
  - b. the management of the Academic Department;
  - c. representing the interests and views (of the Staff) of the Academic Department;
  - d. formulating the long-term vision, after consultation with the academic staff of the Department, for the academic fields that pertain to the Academic Department;
  - e. promoting the quality and interrelationship of education and research in the academic fields that pertain to the Academic Department;
  - f. promoting the specific coordination of activities of the Academic Department members;
  - g. implementing the personnel policy with respect to the Academic Department members;
  - h. annually preparing a multi-year budget for the Academic Department and making proposals to the Dean on the annual budget plan;
  - i. supervising externally financed projects that pertain exclusively to the Academic Department;
  - j. communicating and implementing the Dean's decisions within the Academic Department;
  - k. managing the Academic Department members; and
  - l. promoting cooperation between Academic Departments.
3. The Academic Department Chair is accountable to the Dean and provides him with the necessary information. To this end, the Dean meets at least once per year with the Academic Department Chair.
4. Further provisions and a description of the Academic Department's administration and management, including the tasks of the Academic Department Chair, are laid down in the 'Academic Department's Regulations'.

## Title III – Board of Education

### Article 9.17 WHW – Board of Study Programmes

1. The Dean sees to a Board of several persons of every study programme that has been set up in the faculty. Notwithstanding the first sentence, a Programme Director will suffice.
2. If a Board of several persons is provided for, one of them will be a student.
3. The Faculty Regulations include further rules on the Board of the study programmes.
4. A member of the Board of the study programme cannot also be a member of the Programme Committee of the respective study programme.
5. For the application of this article, a study programme can also be a bachelor programme and one or more master programmes in line with it.

## Article 2.11 – Dean of Education

1. The Board of Education consists of the Dean of Education.
2. The Dean of Education is responsible for the development, quality, financing and marketing of the programmes and study programmes.
3. The Dean of Education preferably holds the position of full professor within the faculty.

## Article 2.12 – Tasks of the Dean of Education

1. The Dean of Education is charged with:
  - a. developing a long-term vision for education and rendering advice to the Dean;
  - b. preparing the policy and developing education in all its facets;
  - c. developing the frameworks to safeguard the unity of the study programmes;
  - d. the quality and efficiency of the study programmes;
  - e. the frameworks for the recruitment, selection and influx of Students;
  - f. managing education budgets, distributing budgets for study programmes and obtaining external education budgets;
  - g. drawing up and monitoring the OER;
  - h. ensuring that educational processes run smoothly;
  - i. ensuring that study progress and the study supervision are monitored;
  - k. making appointments with the Academic Department Chair about the deployment of academic staff for education within an Academic Department;
  - l. ensuring internal and external evaluations in the field of education, and implementing recommendations;
  - m. having consultations with the Programme Committees and Examination Boards about education;
  - n. giving instructions to academic staff within the framework of education;
  - o. promoting exchange programmes in the field of education; and
  - p. participating in consultations with other Deans of Education at EUR.
2. The Dean of Education is accountable to the Dean and provides him with the necessary information.

## Article 2.13 – Programme Director (Articles 9.17 WHW, 4.5 BBR-EUR)

1. The Board of a study programme consists of a Programme Director as referred to in Article 9.17, paragraph 1, of the WHW.
2. The Programme Director is charged with the organisation, content and quality of one study programme or several study programmes together.
3. The Dean of Education is the Programme Director of all study programmes of the faculty together.

## Article 2.14 – Tasks of the Programme Director (Articles 7.13, 9.17 WHW, 4.5 BBR-EUR)

1. The Programme Director is charged with:
  - a. the recruitment, selection and influx of Students;
  - b. monitoring the quality and efficiency of the study programmes as well as monitoring the Students' study progress;
  - c. the quality assurance of the study programme, including a coherent and balanced composition of the education units;
  - d. the vision development and quality improvement of the study programme;
  - e. the preparation of the accreditation and other external evaluations, and implementing the recommendations decided on;
  - f. developing assessment criteria for educational performance;
  - g. monitoring the proper performance of the Degree Programme Committees;
  - h. monitoring the unity of the study programme, the level of the study programme and the innovation and interrelationship of the programmes; and
  - i. managing the education coordinators of the study programme.

2. If necessary, the Programme Director will consult with the Academic Department Chair involved.
3. The Programme Director is accountable to the Dean and gives him the necessary information.

### Article 2.15 – The Academic Directors

1. The Programme Director may be supported by an Academic Director of a study programme.
2. The Academic Director manages a programme in terms of profile, content, quality, implementation and evaluation. This takes place within the general structure of the faculty programmes and in close cooperation with the Programme Management.
3. The Academic Director acts within the legal framework of the WHW and within the framework of the broader faculty strategy and policy.
4. The Academic Director is a, preferably senior, member of the (permanent) academic staff.
5. The Academic Director is accountable to the Programme Director and provides him with the necessary required information.

## Title IV – Board of Research

### Article 2.16 – Dean of Research

1. The Board of Research consists of the Dean of Research.
2. The Dean of Research is responsible for the design, quality and financing of research.
3. The Dean of Research preferably holds the position of full professor.
4. It is preferable that the position of Dean of Research and the position of Scientific Director of the interfaculty Research Institute (called Erasmus Research Institute of Management, or ERIM) and the position of Director of the Graduate School Research Institute (called ERIM) associated with the faculty be filled by the same person.

### Article 2.17 – Tasks of the Dean of Research

1. The Dean of Research is charged with:
  - a. developing a long-term vision for the faculty's research and rendering advice on this research to the Dean;
  - b. preparing the policy and developing research in all its facets;
  - c. rendering advice to the Dean concerning the faculty's research;
  - d. ensuring the organisation of research and monitoring the quality of research insofar as this is not part of the interfaculty Research Institute;
  - e. ensuring internal and external evaluations in the field of education, and implementing the resulting recommendations;
  - f. managing research budgets, distributing research budgets and obtaining external research budgets;
  - g. making appointments with the Academic Department Chair about the deployment of academic staff for research within an Academic Department;
  - h. giving instructions to academic staff within the framework of research; and
  - i. participating in consultations with other Deans of Research at EUR.
2. The Dean of Research is accountable to the Dean and provides him with the necessary information.

## Title V – Operational Management Board

### Article 2.18 – Director of Operations of the faculty (Articles 4.3, 4.6 BBR-EUR)

1. The Operational Management Board consists of the Faculty's Director of Operations.
2. The Faculty's Director of Operations is charged with:
  - a. the day-to-day policy development and evaluation of the operational management processes as well as managing these processes in terms of organisation and Staff and rendering advice to the Dean;
  - b. managing, in consultation with the central services, all tasks in the field of the operational management of the faculty;
  - c. financial control and financial management;
  - d. legal and organisational support of the Faculty Board;
  - e. IT, information and managing information systems;
  - f. facilities, technical and equipment management (except building management); and
  - i. participating in consultations relating to operational management at EUR;
3. The Faculty's Director of Operations contributes to the development of the faculty strategy and translates it into an integral policy and execution.
4. The Faculty's Director of Operations is accountable to the Dean and provides him with the necessary information.

## Title VI – Research Institutes and Research Schools

### Article 9.20 WHW – Research Institutes and Research Schools within a faculty

1. Under the Faculty Regulations, Research Institutes and Research Schools can be set up within the faculty. The Dean sees to the management and set-up of these Research Institutes and Research Schools.
2. The Faculty Regulations include rules on the administration and management of the Research Institutes and Research Schools.

### Article 9.21 WHW – Research Institutes and Research Schools between two or more schools within a university

1. Under the Administration and Management Regulations, Research Institutes and Research Schools to which Article 9.20 does not apply can be set up within the university. The Executive Board sees to the administration, management and set-up of these Research Institutes and Research Schools.
2. Under the Administration and Management Regulations, a faculty can be designated over which the Dean exercises the powers that have been conferred on the Executive Board with respect to a Research Institute or Research School pursuant to the law.

### Article 9.22 WHW – Research Institutes and Research Schools becoming independent internally

1. The Faculty Regulations may stipulate that the Board of a Research Institute or Research School as referred to in Article 9.20 is charged with administrative tasks for a term not exceeding five years.
2. Under the Administration and Management Regulations, the Executive Board may stipulate that the Board of a Research Institute or Research School as referred to in Article 9.21 is charged with administrative tasks for a term not exceeding five years. The decision of the Executive Board requires the approval of the Deans of the respective faculties.
3. If the second paragraph applies, the Executive Board will make the financial resources available to the board of the Research Institute or Research School on an annual basis.

### Article 9.23 WHW – Research Institutes and Research Schools between two or more universities

1. A Research Institute or Research School between two or more universities is set up under joint regulations as referred to in Article 8.1 with the approval of the Deans of the respective Faculties. In these joint regulations, it can be stipulated that the Board of the Research Institute or Research School is charged with administrative tasks.

2. If the first paragraph applies, the Executive Boards will make the financial resources available to the Board of the Research Institute or Research School on an annual basis.

## Article 2.19 – Interfaculty Research Institutes and/or Research Schools (Articles 9.21, 9.22 WHW, 5.1, 5.2, 5.3 BBR-EUR)

1. One interfaculty Research Institute is associated with the faculty, the Erasmus Research Institute of Management (ERIM), which houses most of the faculty's academic research.
2. The faculty acts as coordinating partner of the interfaculty Research Institute.
3. The interfaculty Research Institute is charged with:
  - a. organising, coordinating and facilitating the faculty's academic research carried out by the Research Institute;
  - b. monitoring the quality of the academic research carried out by the Research Institute;
  - c. providing courses, seminars and publications and, following consultation, other academic activities; and
  - d. developing cooperative relationships with researchers nationally and internationally and promoting exchange and residence opportunities for the faculty's academic staff and guest researchers.
4. The interfaculty Research Institute's research is incorporated in research programmes.
5. The Board of the interfaculty Research Institute consists at least of a Scientific Director.
6. Further rules about the organisation and set-up of the Research Institute are laid down in the 'ERIM Regulations'.

## Title VII – Graduate School

### Article 2.20 – Graduate School (Articles 6.1, 6.2, 6.3 BBR-EUR)

1. One Graduate School is associated with the faculty: Erasmus Research Institute of Management (ERIM).
2. Full-time PhD students of the faculty are members of the Graduate School.
3. The Graduate School is charged with:
  - a. the frameworks for the recruitment, selection, and influx of new researchers and full-time PhD students;
  - b. ensuring the study programme, guidance and assessment of full-time PhD students; and
  - c. providing courses, seminars, colloquiums, symposiums, publication series and other scientific activities at the Dean's or Dean of Research's request.
4. The Board of the Graduate School consists at least of a director.
5. Further rules about the organisation and set-up of the Graduate School are laid down in the 'ERIM Regulations'.

## Chapter III – Planning and Control

### Article 3.1 – Faculty Budget

1. The Dean sets a budget annually, taking into consideration the guidelines of the Executive Board.
2. The Dean consults with the Sub-administrators of an administrative sub-unit prior to setting the faculty budget.

3. Prior to setting the faculty budget, the Dean seeks advice from the Management Team and the Faculty Council. The Faculty Council has a right of approval with respect to the main points of the faculty's annual budget plan.
4. The budget shall in any case include specific amounts for education, research, Academic Departments, support services and all other components as well as specifically earmarked budget items.
5. The Sub-administrator provides the Dean with the information required for the faculty budget plan.

### Article 3.2 – Accountability and Information Services

1. The Sub-administrator is accountable to the Dean for implementing the tasks and powers allocated pursuant to these Faculty Regulations and the faculty's Management Instructions.
2. The Sub-administrator is responsible for achieving a healthy financial Operational Management. To this end, he draws up an annual budget plan and a multi-year budget for the administrative sub-unit and implements the planning and control cycle.
3. Account is rendered to the business controller periodically on the use of resources.
4. On the basis of the planning and control cycle, the business controller periodically discusses the financial reports with the Sub-administrator.
5. The Sub-administrator (of an Academic Department) thereby accounts for the performance delivered in the areas of education, research and valorisation, both in terms of content and finance, according to the principle of integral management.

## Chapter IV – Examination Board

### Article 7.10 of the WHW – Preliminary examinations and Exams

1. Every preliminary examination involves an investigation of the knowledge, insight and skills of the examination candidate, as well as the assessment of the results of that investigation.
2. If the examinations of the educational units belonging to a study programme or the propaedeutic phase of a Bachelor programme have been passed, the examination has been passed, insofar as the Examination Board has not determined that the examination also includes an investigation to be carried out by itself as referred to in the first paragraph.
3. The Institution Board is responsible for the practical organisation of preliminary examinations and exams.
4. The Institution Board may limit the term of validity of successfully passed examinations, subject to the authority of the Examination Board to extend this term of validity in an individual case. The validity of a successfully passed preliminary examination may only be limited if the knowledge or insight tested is demonstrably outdated, or if the skills tested are demonstrably outdated. The Institution Board establishes further rules regarding the implementation of this paragraph and about the manner in which, when limiting the term of validity, special circumstances within the meaning of Article 7.51, second paragraph, are reasonably taken into account. In the event of special circumstances as referred to in Article 7.51, second paragraph, the validity of successfully passed examinations will be extended by at least the duration of the financial assistance granted pursuant to Article 7.51, first paragraph.

### Article 7.11 WHW – Certificates and Statements

1. To prove that an examination has been passed, the examiner or examiners concerned shall issue a certificate relating thereto.
2. To prove that the examination has been passed, the Examination Board issues a certificate after the Institution Board has declared that the procedural requirements for issuance have been satisfied. One certificate is issued per programme. The Examination Board is authorised to award a joint certificate in cooperation with one or more Dutch or foreign institutions of higher education. The certificate of successful completion of the examination contains relevant information, including in any case:
  - a. the name of the institution and the relevant study programme, as recorded in the register referred to in Article 6.13;
  - b. which parts the examination covered;
  - c. if appropriate, which authority is attached to it, taking into account Article 7.6, first paragraph;

- d. which degree has been awarded, in accordance with the programme details in the Central Register of Higher Education Study Programmes, and
  - e. when the programme was granted accreditation for a new programme or accreditation for an existing programme and when the maintenance of accreditation for an existing programme was last confirmed as referred to in Article 5.16, third paragraph; and
  - f. if the certificate relates to a joint study programme or a joint specialisation as referred to in Article 7.3, c., the name of the institution or institutions that have jointly provided the joint study programme or the joint specialisation.
3. Anyone who is entitled to a certificate may, in accordance with the rules to be laid down by the Institution Board, request the Examination Board not to award the certificate yet.
  4. The Examination Board adds a supplement to a certificate of the successfully completed final examination. The purpose of the supplement is to provide insight into the nature and content of the completed programme, partly with a view to the international recognition of programmes. The supplement contains at least the following information:
    - a. the name of the study programme and the institution providing the study programme;
    - b. whether it concerns a university programme or a higher professional education programme;
    - c. a description of the content of the programme; and
    - d. the study load of the programme.
 The supplement will be drawn up in Dutch or English and comply with the agreed European standard format.
  5. Students who passed more than one preliminary examination and were not issued with a certificate as referred to in paragraph 2 can request the Examination Board to issue a statement that specifies the examinations that were successfully completed.

#### Article 7.12 WHW – Examination Board

1. Every study programme or group of study programmes at the institution has an Examination Board.
2. The Examination Board is the body that determines, in an objective and specialist manner, whether or not a student satisfies the conditions set by the Teaching and Examination Regulations with respect to the knowledge, understanding and skills required to be awarded a degree as referred to in Article 7.10a.

#### Article 7.12a. WHW – Appointment and Composition of the Examination Board

1. The Institution Board establishes the Examination Board and appoints the members on the basis of their expertise concerning the respective study programme or group of study programmes.
2. The Institution Board ensures that the performance of the Examination Board in an independent and specialist way is safeguarded sufficiently.
3. When appointing the members of the Examination Board, the Institution Board will ensure that:
  - a. at least one member is associated with the respective study programme or one of the study programmes from the group of study programmes as a Lecturer;
  - b. at least one member is not associated with the respective study programme or one of the study programmes from the group of study programmes;
  - c. members of the Institution Board who have financial responsibility at the institution otherwise are not appointed.
4. Before appointing a member, the Institution Board hears the members of the respective Examination Board.

#### Article 7.12b. WHW – Tasks and Powers of the Examination Board

1. In addition to the tasks and powers referred to in Articles 7.11 and 7.12, second paragraph, an Examination Board has the following tasks and powers:
  - a. safeguarding the quality of examinations and exams, without prejudice to Article 7.12c;
  - b. establishing guidelines and instructions within the framework of the Teaching and Examination Regulations, referred to in Article 7.13, to assess and establish the result of examinations and exams;
  - c. granting consent by the most likely Examination Board to a student to follow an examination programme set up by this student as referred to in Article 7.3h, of which the exam leads to obtaining a degree, where the Examination Board also indicates to which study programme of the institution that programme should belong for the application of this act;
  - d. granting exemption for taking one or more examinations;
  - e. ensuring the quality of the organisation and the procedures relating to examinations and exams.
2. If a student or external candidate commits fraud, the Examination Board may deprive the respective person of the right to take one or more examinations to be designated by the Examination Board, during a term not



exceeding one year and to be determined by the Examination Board. If the fraud is of a serious nature, the Institution Board may terminate the enrolment of the respective person permanently on the proposal of the Examination Board.

3. The Examination Board sets the rules for executing the tasks and powers, referred to in the first paragraph, subsections a, b and d, and the second paragraph, and for the measures it can take in this context. Under conditions it can set, the Examination Board may stipulate that the student does not need to pass every preliminary examination to pass the exam.
4. If a student files a request or complaint with the Examination Board involving an examiner who is a member of the Examination Board, this examiner will not take part in handling the request or complaint.
5. Every year, the Examination Board draws up a report on its activities. The Examination Board submits the report to the Institution Board or the Dean.

#### Article 7.12c WHW – Examiners

1. The Examination Board appoints examiners to administer examinations and determine the results of these examinations.
2. The examiners should provide the Examination Board with the requested information.

### Article 4.1 – Examination Board (Articles 7.10 paragraph 2 and paragraph 4, 7.11 paragraph 2 t/m 5, 7.12, 7.12a, 7.12b, 9.15 paragraph 1 sub e WHW)

1. There is an Examination Board as referred to in Article 7.12 of the WHW.
2. The Dean establishes an Examination Board for every study programme or group of study programmes of the faculty.
3. The Dean appoints an official secretary to support the Examination Board.

### Article 4.2 – Members of the Examination Board (Articles 7.12, 7.12a WHW)

1. After hearing the Programme Director, members of the Examination Board are appointed by the Dean on the basis of their expertise concerning the respective study programme or group of study programmes.
2. The Chair of the Examination Board preferably holds the position of full professor.
3. The Dean appoints, reappoints, suspends and dismisses the Chair of the Examination Board.
4. The Examination Board consists of no more than nine (9) members.

### Article 4.3 – Tasks and Powers of the Examination Board (Articles 7.12b, 9.15, paragraph 1, under e WHW)

1. In addition to the tasks and powers referred to in the WHW, the Examination Board is charged with: advising the Dean on the adoption and amendment of the OER.
2. The Examination Board consults with the Dean at least once a year and with the Dean of Education at least six (6) times a year.

## Chapter V – Participation and Rendering Advice

### Title I – Faculty Council

#### Article 9.31 WHW – University Council

1. A University Council is associated with a university.
2. The number of Council members does not exceed twenty-four.
3. Half of the Council are members elected by the Staff, the other half are members elected by the Students.



4. Those who are a member of the Executive Board or the Supervisory Board or who are charged with the position of Dean of a Faculty cannot be a member of the Council as well.
5. Candidates for election of the part elected by the Staff from its number can be nominated by staff members and staff organisations.
6. The election of Council members is by secret ballot. Election for a delegation of the Council will take place if the number of candidate members of a delegation is larger than the number of seats for this delegation.
7. The Council prepares regulations for matters of a household nature and also sees to the way in which the resources made available by the Executive Board to the council and any Faculty Councils and Committees as referred to in Article 9.47 are distributed.
8. The Council elects a Chair and one or more replacement Chairs, whether or not from its number. The Chair, or in his absence the replacement Chair, represents the Council court.

#### Article 9.32. General Powers and Tasks of the University Council and Council Members

1. At least twice a year, the Executive Board gives the University Council the opportunity to discuss the state of affairs at the university with the Board. The Executive Board and the council meet at the request of the Executive Board, the Council, the part of the Council elected by the Staff from its number, or the part elected by the Students from their number, with the reasons stated.
2. The Council is authorised to make proposals about all matters concerning the university to the Executive Board and to make its viewpoints known. Within three months, the Executive Board reacts to the proposals referred to in the first sentence by submitting a Written proposal to the Council, with the reasons stated. Before submitting the reaction referred to in the previous sentence, the Executive Board gives the Council the opportunity at least once to discuss its proposal with the Board.
5. At the beginning of the academic year, the Executive Board gives the Council the basic details concerning the composition of the Executive Board, the Supervisory Board, the organisation at the university and the main points of the policy already adopted. The Executive Board informs the Council at least once per year In Writing of the policy it pursued in the past year and of the policy intentions for the next year with respect to the university from a financial, organisational and educational perspective. The Executive Board notifies the Council immediately of intentions concerning the matters described in the institution plan.
6. Without prejudice to the fifth paragraph, the Executive Board furnishes the Council, without being asked to do so, all information in a timely manner that it needs for performing its task according to criteria of reasonableness and fairness, and, on request, all information in a timely manner that it deems necessary for performing its task according to criteria of reasonableness and fairness. This includes at least once per year the details about the level and content of regulations and arrangements concerning the terms of employment per group of the persons working at the institution, the members of the Executive Board, and the Supervisory Board.
7. If, at a certain meeting or part of it, a specifically personal interest of one of the members of the Council is at issue, the Council may stipulate that the respective member not attend the respective meeting or its part. In that case, the Council will also stipulate that the discussion of the respective matter take place at a closed meeting.
8. Every year, the Council prepares a Written report of its activities and ensures that all parties involved at the university can take cognisance of the report. The Council ensures that the agendas and reports of the council meetings are sent to the Executive Board, the faculty Councils and any Committees, as referred to in Article 9.47, and are made available for inspection for those interested at a generally accessible place at the university. At least once per year, the Council gives the Committees referred to in the previous sentence the opportunity to discuss any matters with it that concern the respective Committee specifically.

#### Article 9.33a WHW – Advisory Authority of the University Council; Advisory Authority of the Student Delegation

1. The Executive Board asks the University Council for its prior advice for every decision to be made by the Executive Board at least with respect to:
  - a. matters concerning the continuation of the smooth running of things at the university;
  - b. the budget plan by which the amount of the institutional tuition fee and the amount of the tuition fee, referred to in Article 6.7, first paragraph, and Article 6.8, first paragraph respectively, should be evidenced.
2. The Executive Board asks the part of the University Council elected by the Students from their number for its prior advice for every decision to be made by the Executive Board at least with respect to:
  - a. the general personnel and appointment policy, unless Article 9.36, second paragraph, applies;
  - b. the policy concerning the institutional tuition fee, referred to in Article 7.46, and the tuition fee, referred to in Article 6.7, first paragraph;

- c. the regulation of the Institution Board concerning repayment of the statutory tuition fee, referred to in Article 7.48, fourth paragraph;
  - d. the regulation set up by the Institution Board for the selection criteria and the selection procedure referred to in Article 6.7a, first paragraph, subsection b, and Articles 7.26, 7.26a and 7.53, third paragraph respectively, and, to the extent that it concerns the selection procedure, Article 7.30b, second paragraph;
  - e. the regulation set up by the Institution Board for the criteria and the procedure of the higher tuition fee, referred to in Article 6.7a, first paragraph, subsection c;
  - f. the rules set up by the Institution Board for the selection, referred to in Article 7.9b, first paragraph;
  - g. the rules set up by the Institution Board for the study choice advice and study choice activities, referred to in Article 7.31b, fifth paragraph.
3. The preamble of the first paragraph applies mutatis mutandis to:
- a. an intended decision of the Supervisory Board as referred to in Article 9.8, first paragraph, subsection a, with respect to appointing and dismissing members of the Executive Board;
  - b. an intended decision of the Supervisory Board as referred to in Articles 9.3, third paragraph, and 9.7, fourth paragraph, with respect to the profiles for appointing the members of the Executive Board and the Supervisory Board respectively.

#### Article 9.37 WHW – Faculty Council

1. If the university comprises more than one faculty, a Faculty Council is associated with every faculty.
2. Towards the Dean of the Faculty, the Faculty Council exercises the right of approval and the right to be consulted conferred on the University Council, to the extent that it is about matters that concern the faculty specifically and the respective powers have also been conferred on the Dean.
3. Article 9.31, second up to and including sixth paragraphs, applies mutatis mutandis.
4. If a university only comprises one faculty, the tasks and powers of the Faculty Council will be exercised by the University Council.
5. Towards the Dean of the Faculty, the Staff delegation of the Faculty Council exercises the rights referred to in Article 9.50, to the extent that it is about matters that concern the faculty specifically and the respective powers have also been conferred on the Dean.

#### Article 9.38 WHW – Approval Authority of the Faculty Council

The Dean requires the prior approval of the Faculty Council for every decision he makes with respect to at least the adoption of or amendment to:

- a. the Faculty Regulations, referred to in Article 9.14, and
- b. the Teaching and Examination Regulations, referred to in Article 7.13, with the exception of the subjects mentioned in the second paragraph, subsections a up to and including g and v, and with the exception of the requirements referred to in Articles 7.28, fourth and fifth paragraphs, and 7.30b, second paragraph.

#### Article 9.38a – General Powers and Tasks of the Faculty Council and Council Members

Article 9.32, first, second, fifth up to and including eighth paragraphs, applies mutatis mutandis.

#### Article 9.40. – Powers and Procedure of the Participation Body's Dispute Resolution Committee

1. The Dispute Resolution Committee referred to in Article 9.39 takes cognizance of disputes between a Participation Body and the Executive Board or the Dean:
  - a. the establishment, amendment or application of the Participation Regulations, as referred to in Article 9.34, and
  - b. disputes arising from Articles 9.30a, 9.18, 9.32, 9.33, 9.33a, first, second and third paragraphs, subsection b, 9.34, 9.35, 9.36, 9.38 and 9.38a.
2. If there is a dispute between the body set up under the Participation Regulations referred to in Article 9.30, third paragraph, second sentence, the University Council, Faculty Council or Programme Committee and the person or body with decision-making powers, the Executive Board will investigate whether an amicable settlement between the parties is possible. If the Executive Board is the body with the decision-making power, the Supervisory Board will examine whether an amicable settlement is possible. If this proves impossible, the Participation Body, as referred to in the first sentence, or the person or body with decision-making powers will submit the dispute to the Dispute Resolution Committee.
3. If the dispute concerns not or not entirely following the advice of a Participation Body, the implementation of the decision will be postponed by four weeks, unless the body in question has no objections to the immediate implementation of the decision.

4. The Dispute Resolution Committee has the authority to attempt an amicable settlement between the parties. If no amicable settlement is reached, the Disputes Committee shall settle a dispute submitted to it by giving a binding ruling, whereby it shall assess whether:
  - a. the Executive Board or the Dean has complied with the requirements of the law and the regulations referred to in Article 9.34;
  - b. the Executive Board or the Dean, in weighing the interests involved, could reasonably arrive at the proposal or decision, and
  - c. the Executive Board or the Dean has acted negligently towards the Participation Body concerned.
5. If the Executive Board or the Dean has not obtained the Participation Body's consent for the intended decision, it may, in derogation from the fourth paragraph, ask the Dispute Resolution Committee for permission to take the decision. The Disputes Committee will only give permission if the decision of the Participation Body not to give its consent is unreasonable or if the intended decision of the Executive Board or the Dean is necessitated by compelling organisational, economic or social reasons. To the extent that it concerns a dispute about the main lines of the budget plan and the Dispute Resolution Committee has not given the Executive Board permission to make a decision before 1 January of the year to which the budget plan relates, the Executive Board may, until the Dispute Resolution Committee has made a decision about granting permission, use up to four twelfths of the amounts that were included in the corresponding budget lines of the previous year to make expenditures in that year.
6. If it concerns decisions as referred to in Articles 9.30a, second and third paragraphs, or 9.33, first paragraph, subsections a, b or d, and second paragraph, the Dispute Resolution Committee will assess, contrary to the second sentence of the fifth paragraph, whether the Executive Board or another body could have reasonably reached the decision when weighing the interests involved.

#### Article 9.50 – Advisory Board for Central Services

1. If the Management and Administrative Regulations stipulate that there are central services at a university, the Executive Board, with due observance of the regulations laid down by or pursuant to a general administrative measure, will set up one or more Advisory Boards for the Staff employed by those departments.
2. The Executive Board ensures that an Advisory Board is given the timely opportunity to advise the head of the service concerned and to consult on proposed measures regarding:
  - a. the way working and service conditions are applied at a central service;
  - b. the manner in which the general personnel policy is implemented at a central service;
  - c. matters relating to working conditions in connection with work at a central service;
  - d. the organisation and operation within a central service, and
  - e. the economic and technical implementation of services at a central service.
3. The Advisory Board is authorised to make proposals to the head of the department concerned regarding the matters referred to in the second paragraph.
4. The head of the relevant department requires the prior consent of the Advisory Board for any measure he is authorised to take and on which the Advisory Board has advised pursuant to the second paragraph.
5. The Executive Board, in consultation with the Advisory Board, will draw up regulations with regard to the exercise of rights, as referred to in the second, third and fourth paragraphs. The regulations must at least include dispute settlement rules.

#### Article 5.1 – Faculty Council (Article 9.37 WHW)

1. There is a Faculty Council as referred to in Article 9.37 of the WHW.
2. The Dean appoints an official secretary to support the Faculty Council.

#### Article 5.2 – Members of the Faculty Council (Article 9.37 WHW)

1. The Faculty Council consists of ten (10) members.
2. The following persons are elected members:
  - a. Five (5) for the Staff Delegation; and
  - b. Five (5) for the Student Delegation.
3. Members of the Faculty Council are elected by a secret ballot.

4. The term of the Faculty Council commences on 1 September and ends on 31 August of the subsequent year.
5. The members of the Staff Delegation are elected for a term of two (2) years; the members of the Student Delegation are elected for a term of one (1) year.
6. The Faculty Electoral Regulations include further stipulations on the election, appointment and term of the Faculty Council members.

#### Article 5.3 – The Faculty Council’s Right of Approval (Article 9.38 WHW)

1. The Regulations for the University Council include provisions on the powers concerning the right of approval of the Faculty Council.
2. Supplementary to Article 5.3, paragraph 1 of these Regulations, the Faculty Council has a right of approval regarding the following matters:
  - a. the Multi-annual Strategic Plan for the Faculty; and
  - b. the outlines of the faculty budget to the extent that these concern the direct funding for the study programme, research and support.

#### Article 5.4 – The Faculty Council’s Right of Advice (Article 9.37 WHW)

1. The Regulations for the University Council includes provisions on the powers concerning the right of advice of the Faculty Council.
2. In addition to Article 5.4, paragraph 1 of these Regulations, the Dean requests the Faculty Council’s timely advice before making a decision on the (re)appointment of the positions as described in Article 2.1. paragraph 1 the Dean of Education, the Dean of Research, the Dean of Faculty and the Dean of Engagement and Partnerships.
3. The Dean obtains the advice of the Faculty Council at such a time that it can have a significant influence.
4. The Dean shall issue his reasoned Written response to an advice, as intended in the first paragraph, within eight (8) weeks, unless another period is agreed. He gives the Faculty Council the opportunity to consult with him in advance.
5. If the Dean does not follow the advice in part or in full, he will inform the faculty council of the reason therefore.

#### Article 5.5 – The Faculty Council’s Right to take Initiative

1. The Faculty Council is authorised to submit proposals to the Dean and to state its position regarding all matters concerning the faculty.
2. The Dean issues his Written reasoned response to a proposal, as intended in the previous paragraph, within eight (8) weeks, unless another period is agreed. He gives the Faculty Council the opportunity to consult with him in advance.

#### Article 5.6 – Protection of the Faculty Council Members

1. The Dean should ensure the Faculty Council members that their membership of the Faculty Council will not disadvantage them regarding their position in the faculty. The same obligation applies with respect to the candidate members and former members of the Faculty Council.
2. The Dean ensures that members of the Faculty Council who are employee representatives are offered the opportunity by the organisational units to which they belong to effectively carry out the duties of

membership of the Faculty Council. The same obligation applies with respect to the candidate members and former members of the Faculty Council.

## Title II – Programme Committee

### Article 9.17 WHW – Board of Study Programmes

1. The Dean sees to a Board of several persons of every study programme that has been set up in the faculty. Notwithstanding the first sentence, a Programme Director will suffice.
2. If a Board of several persons is provided for, one of them will be a student.
3. The Faculty Regulations include further rules on the Board of the study programmes.
4. A member of the Board of the study programme cannot also be a member of the Programme Committee of the respective study programme.
5. For the application of this article, a study programme can also be a bachelor programme and one or more master programmes aligned with it.

### Article 9.18 WHW – Programme Committees

1. A Programme Committee is set up for every study programme or group of study programmes. The Committee has the task of rendering advice on promoting and safeguarding the quality of the study programme. Additionally, the Committee has:
  - a. the right of approval with respect to the topics in the Teaching and Examination Regulations, referred to in Article 7.13, second paragraph, subsections a1, b, c, d, e, g and v;
  - b. the task of assessing the manner of implementing the Teaching and Examination Regulations on an annual basis;
  - c. the right of advice with respect to the topics in the Teaching and Examination Regulations, referred to in Article 7.13, with the exception of the topics with respect to which the committee has the right of approval pursuant to subsection a;
  - d. the task of providing solicited or unsolicited advice or of making proposals to the board of the study programme, referred to in Article 9.17, first paragraph, and the Dean about all matters concerning education in the respective study programme; and
  - e. the task of discussing the assessment report, referred to in Article 5.13, fourth paragraph.The Committee sends the advice and proposals, referred to in subsection d, to the Faculty Council for information purposes.
2. Article 9.35, preamble and subsections b, c and d, applies to advice mutatis mutandis as referred to in the first paragraph.
3. If the Committee submits a proposal as referred to in the first paragraph, subsection d, to the Board of the study programme or the Dean, the Board or the Dean respectively will respond to the proposal within two months upon receipt.
4. Article 9.31, the third up to and including the eighth paragraphs, applies to the Programme Committee mutatis mutandis. In consultation between the Board of the study programme or the Dean and the Faculty Council, another method of composing the Programme Committee than by election can be laid down in the Faculty Regulations, upon consultation with the Programme Committee. Every year, it is decided whether it is desirable to maintain the other composition method.
5. The Programme Committee is authorised to invite the Board of the study programme or the Dean at least twice a year to discuss the intended policy on the basis of an agenda it has drawn up.
6. If the faculty comprises only one study programme, the Faculty Regulations may stipulate that the tasks and powers of the Programme Committee are exercised by the Faculty Council, referred to in Article 9.37.

### Article 9.31 WHW – University Council

3. Half of the Council are members elected by the Staff, the other half are members elected by the Students.
4. Those who are a member of the Executive Board or the Supervisory Board or who are charged with the position of Dean of a Faculty cannot be a member of the Council as well.
5. Candidates for election of the part elected by the Staff from its number can be nominated by staff members and staff organisations.
6. The election of Council members is by secret ballot. Election for a delegation of the Council will take place if the number of candidate members of a delegation is larger than the number of seats for this delegation.



7. The Council prepares regulations for matters of a household nature and also sees to the way in which the resources made available by the Executive Board to the council and any Faculty Councils and Committees as referred to in Article 9.47 are distributed.
8. The Council elects a Chair and one or more replacement Chairs, whether or not from its number. The Chair, or in his absence the replacement Chair, represents the Council court.

#### Article 9.35 WHW – Advice

If a decision to be made pursuant to Article 9.33a of the Regulations of the University Council must be submitted to the Council for advice in advance pursuant to Article 9.34, third paragraph, subsection b, the Executive Board or the Supervisory Board respectively will ensure that:

- a. advice is requested at a time that it can have a material influence on the decision-making;
- b. the Council is given the opportunity to consult with it before advice is rendered;
- c. the Council is informed In Writing as soon as possible of the manner in which the advice rendered is followed; and
- d. the Council – if the Executive Board or the Supervisory Board does not want to follow the advice in part or in full – is given the opportunity to consult with it before the final decision is made.

#### Article 9.38c WHW – Definitions

In this section and Article 9.46, Participation Body is understood to mean:

- a. the joint meeting;
- b. the Works Council;
- c. the body set up pursuant to the Participation Regulations, referred to in Article 9.30, third paragraph, second sentence;
- d. the University Council;
- e. the Faculty Council;
- f. the Advisory Board, referred to in Article 9.50;
- g. delegations of the bodies under a up to and including subsection f;
- h. the Programme Committee.

#### Article 9.40. – Powers and Procedure of the Participation Body's Dispute Resolution Committee

1. The Dispute Resolution Committee referred to in Article 9.39 takes cognizance of disputes between a Participation Body and the Executive Board or the Dean:
  - a. the establishment, amendment or application of the Participation Regulations, as referred to in Article 9.34, and
  - b. disputes arising from Articles 9.30a, 9.18, 9.32, 9.33, 9.33a, first, second and third paragraphs, subsection b, 9.34, 9.35, 9.36, 9.38 and 9.38a.
2. If there is a dispute between the body set up under the Participation Regulations referred to in Article 9.30, third paragraph, second sentence, the University Council, Faculty Council or Programme Committee and the person or body with decision-making powers, the Executive Board will investigate whether an amicable settlement between the parties is possible. If the Executive Board is the body with the decision-making power, the Supervisory Board will examine whether an amicable settlement is possible. If this proves impossible, the Participation Body, as referred to in the first sentence, or the person or body with decision-making powers will submit the dispute to the Dispute Resolution Committee.
3. If the dispute concerns not or not entirely following the advice of a Participation Body, the implementation of the decision will be postponed by four weeks, unless the body in question has no objections to the immediate implementation of the decision.
4. The Dispute Resolution Committee has the authority to attempt an amicable settlement between the parties. If no amicable settlement is reached, the Disputes Committee shall settle a dispute submitted to it by giving a binding ruling, whereby it shall assess whether:
  - a. the Executive Board or the Dean has complied with the requirements of the law and the regulations referred to in Article 9.34;
  - b. the Executive Board or the Dean, in weighing the interests involved, could reasonably arrive at the proposal or decision, and
  - c. the Executive Board or the Dean has acted negligently towards the Participation Body concerned.
5. If the Executive Board or the Dean has not obtained the Participation Body's consent for the intended decision, it may, in derogation from the fourth paragraph, ask the Dispute Resolution Committee for permission to take the decision. The Disputes Committee will only give permission if the decision of the Participation Body not to

give its consent is unreasonable or if the intended decision of the Executive Board or the Dean is necessitated by compelling organisational, economic or social reasons. To the extent that it concerns a dispute about the main lines of the budget plan and the Dispute Resolution Committee has not given the Executive Board permission to make a decision before 1 January of the year to which the budget plan relates, the Executive Board may, until the Dispute Resolution Committee has made a decision about granting permission, use up to four twelfths of the amounts that were included in the corresponding budget lines of the previous year to make expenditures in that year.

6. If it concerns decisions as referred to in Articles 9.30a, second and third paragraphs, or 9.33, first paragraph, subsections a, b or d, and second paragraph, the Dispute Resolution Committee will assess, contrary to the second sentence of the fifth paragraph, whether the Executive Board or another body could have reasonably reached the decision when weighing the interests involved.

### Article 5.8 – Programme Committee (Article 9.18 WHW)

1. For every study programme or group of study programmes at the faculty, the Dean establishes a Programme Committee as referred to in Article 9.18 of the WHW.
2. The study programmes and the (composition of the) relevant Programme Committee or Committees are included in the 'Code of Order of the Programme Committee(s)'.

### Article 5.9 – Tasks of the Programme Committee (Article 9.18 WHW)

1. The Programme Committee is given the opportunity to consult with the Programme Director or the Dean before it renders advice.
2. The Programme Director or the Dean informs the Programme Committee as soon as possible In Writing of the manner in which the advice has been followed.

### Article 5.10 – Members of the Programme Committee (Article 9.18 WHW)

1. Half of the members of a Programme Committee are lecturers of the faculty who are actively involved in the teaching of the programme(s) concerned and the other half are Students enrolled in the programme(s) concerned.
2. The composition of the Programme Committee(s) is announced publicly in a way that is freely accessible to interested parties.
3. If a Programme Committee is established to serve several programmes, every programme should appoint at least one (1) faculty member and one (1) student as members of the Programme Committee.
4. The members of the Programme Committee are appointed by the Dean, after being nominated by the relevant Programme Committee and having heard the views of the relevant Programme Director.
5. The appointment term of the members and (the method of appointment of the) Chair of a Programme Committee is stipulated in the 'Code of Order of the Programme Committee(s)'.
6. Every year, the Dean discusses with the Faculty Council the desirability of the method of appointment, having heard the Programme Committee and the Programme Director.

## Chapter VI – Other Committees

### Article 6.1 – Other Committees

1. The Dean can establish both permanent and temporary Committees.
2. The Dean (re)appoints, suspends and removes the Committee members.

3. On establishing a Committee, the tasks, authorities, method and content of reporting, size and composition, public accessibility of meetings, and the duration of the Committee will be determined.

### Article 6.2 – The Appointment Advice Committees (AAC)

1. The Dean establishes an Appointment Advice Committee in preparation for making recommendations to the Executive Board regarding the appointment of a professor.
2. The Dean appoints an official secretary, who participates as an adviser to the AAC in every established AAC. The official secretary monitors and safeguards the quality of the procedure.
3. The AAC comprises five (5) to seven (7) professors, including two (2) specialists in the relevant academic area, one (1) professor from another faculty of the University and one (1) professor from outside EUR. If this concerns an endowed professor, the establishing legal entity can propose a member of the AAC. The AAC comprises both male and female members.
4. The Dean appoints a Chair of the Committee from a different Academic Department to the one in which the Chair is to be established and to which the professor or endowed professor is to be appointed.
5. Regarding the remaining procedure, that which is stated in or pursuant to the BBR-EUR applies, particularly the guidelines and procedures of the Executive Board concerning the appointment of full and endowed professors.

### Article 6.3 – The Promotion & Tenure Committee (P&T)

1. The Dean establishes a permanent academic staff career policy committee known as the Promotion & Tenure Committee (P&T).
2. The Dean appoints the Dean of Faculty as non-voting Chair of the Committee and monitors and safeguards the quality of the procedure.
3. The academic staff career policy committee makes recommendations to the Dean in connection with the interim evaluation or permanent appointment of academic staff participating in the tenure track system.
4. The academic staff career policy committee performs its tasks in accordance with a procedure determined by the Dean.
5. Further regulations regarding the academic staff career policy committee are incorporated in the 'Promotion & Tenure Committee regulations'.

### Article 6.4 – Internal Review Boards

1. The faculty has two (2) affiliated Internal Review Boards, one (1) for experimental research and one (1) for non-experimental research.
2. The Internal Ethical Review Boards evaluate the research proposals submitted by the academic staff to minimise any undesirable (social) side effects of the research on the research participants, third parties, or the researcher himself, and give advice on this to the submitting parties.
3. The members of the Internal Ethical Review Boards are appointed by the Dean of Research.
4. The members of the academic staff submit a research proposal to one of the Internal Review Boards prior to conducting scientific research.
5. Further regulations regarding the Internal Ethical Review Boards are laid down in the 'RSM-Research Ethics Policy'.



## Chapter VII – Order and Complaints

### Article 9:1 – The Dutch General Administrative Law Act (AWB)

1. Everybody is entitled to file a complaint with the administrative body on the way in which the administrative body has behaved in a certain matter towards the complainant or somebody else.
2. Behaviour by a person employed under the responsibility of an administrative body is considered behaviour of the respective administrative body.

### Article 7.59a WHW – Accessible Facility

1. The Institution Board sets up an accessible and unequivocal facility. The Institution Board sets up regulations concerning this paragraph and paragraph 2, which is part of the Administration and Management Regulations.
2. A person involved files a complaint as referred to in Article 7.59b and an appeal or objection as referred to in paragraph 2 with the facility for a decision made by the body of an institution for higher education or the lack of it pursuant to this act and the regulations based on this. If the appeal or objection of a person involved concerns a public institution, the Articles 6:4, first and second paragraphs, and 7:1a of the Dutch General Administrative Law Act (AWB) will not apply.
3. In this paragraph and paragraphs 2 up to and including 4, a person involved is understood to mean: a Student, a prospective Student, a former Student, an external candidate, a prospective external candidate, or a former external candidate.
4. The term for submitting an appeal or objection In Writing as referred to in paragraph 2 is six weeks.
5. The facility confirms receipt of the incoming complaint, appeal or objection to the person involved In Writing and forwards it to the authorised body as soon as possible, after the date of receipt has been stated on the respective document. If a public institution is concerned, Article 6:15, first and second paragraphs of the Dutch General Administrative Law Act will not apply.
6. The date of receipt, referred to in the fifth paragraph, is decisive for the question as to whether a complaint, appeal or objection has been filed in time. If a public institution is concerned, Article 6:15, third paragraph of the Dutch General Administrative Law Act will not apply.
7. If the facility has sent a complaint, appeal or objection to an unauthorised body, this body shall send the respective document back to the facility as soon as possible. The authorised body handles the complaint, appeal or objection that has been submitted to this body directly by the person involved only after the intervention of the facility.

### Article 7.1 – Internal Regulations and Measures

1. If these Internal Regulations or other regulations, guidelines or instructions adopted by the Executive Board and the Dean are violated, the Dean and the Executive Board may take measures. A measure may be imposed on Staff members in addition to the invocation of contractual and/or labour-law obligations or the imposition of labour-law measures.

### Article 7.2 – Complaints (Article 7.59a WHW)<sup>1</sup>

1. Everybody can file a complaint with the Dean on the basis of Chapter 9 of the AWB.
2. Complaints from a Student, prospective Student, former Student, external candidate, prospective external candidate, or former external candidate can also be filed with the legal protection facility, as referred to in Article 7.59a of the WHW.
3. The complaints filed with the legal protection facility with respect to the faculty are forwarded to the Dean for handling.

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<sup>1</sup> There are three complaint categories: complaints on the basis of the AWB concerning everybody, complaints on the basis of the WHW concerning Students, and complaints on the basis of several labour-law subjects concerning Staff.

4. Disputes from Staff can be handled by the 'Dispute Advisory Committee Employees EUR' concerning labour-law subjects.
5. The 'Complaint Handling Procedure Students and External Candidates EUR' applies to complaints from a Student, prospective Student, former Student, external candidate, prospective external candidate, or former external candidate.

## Chapter VIII – Final Provisions

### Article 8.1 – Interpretation

1. In cases relating to the matters stipulated in these Regulations for which these Regulations make no provision or if these Regulations allow for more than one interpretation, the Dean makes a decision, with the exception of participation disputes, as referred to in Article 9.39 of the WHW.

### Article 8.2 – Translation

1. If these Regulations are translated and any conflict arises between the translation and the Dutch version, the Dutch version will prevail.

### Article 8.3 – Publication

1. The faculty will post these Regulations on the faculty's website.

### Article 8.4 – Entry into Force (Articles 9.14, 9.38 WHW)

1. These Regulations take effect upon the consent of the Faculty Council and approval of the Executive Board on 1 December 2021.

### Article 8.5 – Short Title

1. These Regulations are referred to as: Faculty Regulations of the Rotterdam faculty of Management, Erasmus University 2021.
2. These Regulations are abbreviated as: FR RSM 2021.

### Article 8.6 – Administration of Regulations

1. These Regulations are administered by the Dean.

### Article 8.7 – Withdrawal

1. On the date on which these Regulations take effect, former versions of these Regulations will be cancelled.