Regulations
Participation Council
Gerrit Rietveld Academie

4th of November 2024

PARTICIPATION COUNCIL REGULATIONS
GERRIT RIETVELD ACADEMY

Objectives Participation Council

1a. The Participation Council of the Gerrit Rietveld Academie (the MR) strives to achieve good quality education within the Gerrit Rietveld Academie (the Institution) in an effective and efficient school organisation.
1b. The MR shall, to the best of its ability, promote openness, publicity and mutual deliberation in the Institution.

Facilities and information provision

2a. The Executive Board will allow the MR the use of facilities at its disposal and which the MR reasonably needs for the fulfilment of its duties, in any case including administrative, financial and legal support and training. More specifically, the Executive Board offers the MR (in any case) the following provisions and facilities:
    a. adequate meeting space;
    b. secretarial support through a secretary with a time commitment of 8 hours per working week;
    c. basic office supplies, such as writing utensils and paper;
    d. sufficient opportunity to publicise decisions;
    e. adequate training preparatory to and related to the work as an MR member, a budget for training and professionalisation of the MR allocated jointly by the Executive Board and the MR, whereby the elected members of the MR consisting of the Institution's staff shall be given the opportunity to receive the training/education during working hours with retention of salary;
    f. legal support/support from external experts, for which the Executive Board provides a budget so that the MR can be advised on issues by (legally literate) external experts.

    Finally, the Executive Board gives the MR the opportunity to meet during working hours as much as possible.
2b. The members of the MR shall receive compensation. The compensation associated with MR membership is paid from the moment the MR chair has notified the member concerned in writing to the secretary of the Executive Board and ceases from the moment the MR chair has deregistered the member concerned from the secretary of the Executive Board.
    - Student members of the MR receive attendance fees. This is a fee based on attendance at MR meetings. The fee is € 200 per attended meeting/course or training day/meeting. In addition, student members receive a one-off basic payment of € 100 per academic year.
    - Employees who are MR members receive compensation based on the amount of work. The compensation is structured as follows: the amount of work of employees who are MR members is equal to 109 hours per year (members) or 249 hours per year (the chair), times the gross hourly wage belonging to scale 10.6 of the Collective Labor Agreement for Higher

Vocational Education *(Cao voor het hoger beroepsonderwijs*), times a factor of 1.35.

2c. In case of a change of members of the MR due to appointment or termination of membership to the MR, the chair of the MR, or in his/her/their absence by the vice-chair of the MR, shall notify the secretary of the Executive Board in writing. The secretary then informs the MT of the Institution and takes care of the administrative processing, including compensation for the members.

2d. The Executive Board will ensure towards the MR that MR members, prospective MR members and former MR members are not disadvantaged in their position in relation to the Institution by virtue of their (prospective, current or former) MR membership.

2e. The termination other than at one's own request of the employment of a person working at the Institution may not be related to the person's candidacy for MR membership, membership of the MR or former MR membership.

3a. The Executive Board provides the MR in writing at the beginning of the academic year with basic information relating to:
   a. the composition of the Executive Board and the division of tasks between the Supervisory Board of the Institution (the Supervisory Board) and the Executive Board;
   b. the organisation of the Institution;
   c. the main points of policies already adopted.

3b. The Executive Board provides the MR at least once a year with a written overview of the policy pursued and policy intentions for the coming year in the field of:
   a. education;
   b. finance
   c. organisation;
   d. social policy.

3c. The Executive Board shall notify the MR without delay of intentions regarding matters described in the Institution's institutional plan (the Institutional Plan).

3d. The Executive Board keeps the MR informed of ongoing issues that directly affect education.

3e. The Executive Board will provide the MR, unsolicited and in good time, with all information which the MR may reasonably and fairly need for the fulfilment of its duties and, on request, in good time with all information which the MR considers necessary for the fulfilment of its duties. This in any case includes information at least once a year on the level and content of the regulations and agreements pertaining to the employment conditions per group of persons working at the institution, the members of the Executive Board and the members of the Supervisory Board.

3f. In those cases where the MR requires additional information in the interim in the context of its solicited and unsolicited

advisory function, the MR may request information from the Executive Board for this purpose.

4. In accordance with article 10.19, paragraph 1, of the Higher Education and Scientific Research Act (*Wet op het hoger onderwijs en wetenschappelijk onderzoek*, WHW), the Executive Board will give the MR the opportunity to discuss the general course of affairs in the Institution with the Executive Board at least twice a year and as often as the MR requests.

Composition and election of MR members

5a. The MR shall have no more than 14 members, the number of members elected from the staff and the number of members elected from the students being equal.
5b. Two student seats and two staff seats are reserved for students and staff of the Institution's postgraduate programme. The remaining five student seats and five employee seats are reserved for students and employees of the Institution's general/regular education programme. Employees are people employed by the Institution under an employment contract.
5c. Elections of MR members are governed by the electoral regulations of the Participation Council (see appendix).

Term of office

6a. MR members resign after three years.
6b. Resigning members may be re-elected a maximum of once so that there is a term of office of up to six years.
6c. At the end of a three-year period in which a resigned member has not served on the MR, a former member may be re-elected to the MR for up to two terms.

Organisation and functioning of MR

7. The Executive Board, with the consent of at least two-thirds of the number of MR members, will adopt regulations for the MR. The regulations of the MR regulate at least the subjects referred to in article 10.22 WHW.

8. The MR elects a chair and one or more deputy chairs from among its members. The chair, or in his/her/their absence the deputy chair, legally represents the MR.

9a. The MR meets at least six times a year.
9b. If at least half the members of the MR request as such, an additional meeting will be called.
9c. The Executive Board and the Council will meet if requested to do so in a reasoned manner by the Executive Board, the MR or the part of the MR elected from and by staff or the part of the MR elected from and by students.

9d. The Supervisory Board shall consult with the MR at least twice a year.
9e. The MR shall give any committees of the Institution the opportunity to consult with it at least once a year on matters of particular concern to the committee concerned.

10a. Meetings of the MR are open to members of the Institution's community.
10b. The MR may decide to meet behind closed doors if a personal interest of a member of the MR or a member of the Institution's community is at stake.
10c. If a particular meeting or part thereof involves an eminently personal interest of one of the MR members, the MR may determine that the member concerned shall not participate in that meeting or part thereof.
10d. The members of the MR are obliged to keep confidential all matters which they learn in their capacity as MR members and in respect of which the Executive Board has requested confidentiality in advance, or the confidential nature of which can reasonably be inferred.
10e. When requesting confidentiality as referred to in Article 10d, the Executive Board shall also state which written or oral information is subject to confidentiality and for how long the confidentiality is in force, as well as whether there are any persons in respect of whom confidentiality need not be observed.
10e. The duty of confidentiality does not lapse by termination of MR membership, or by termination of employment with the Institution or registration at the Institution of the MR member concerned.
10f. Breach of the duty of confidentiality is a malfeasance and constitutes a violation of Article 272 of the Penal Code (*Wetboek van Strafrecht*). Under Section 272(1) of the Penal Code, breach of the duty of confidentiality can result in imprisonment for up to one year or a fine of the fourth category (being €20.250).
10g. The MR may refuse to receive information subject to the duty of confidentiality. In that case, the Executive Board will consult with the MR about the reasons why the MR does not wish to receive the information under a duty of confidentiality, in order to try to remove the MR's objections in this respect or at least share the relevant information under partial confidentiality.

11a. The members of the MR will be notified that a meeting is to be held at least seven days before the meeting, at which point they will receive the agenda.
11b. The MR may only take decisions if at least two-thirds of the members are present, insofar as it concerns decisions on the subjects on which the MR has the right of approval (article 15a), the nomination of a member for the Supervisory Board (article 18), the nomination of a member of the nomination committee to be installed by the Supervisory Board for a vacancy

in the Executive Board (in accordance with the Articles of association of the foundation) and/or the election of the MR chair (article 8). Being present means that a member is physically present or that a member has authorised another member prior to the meeting to vote on its behalf with regard to the above-mentioned resolutions. An authorisation is valid if it is given and accepted by e-mail and is known in time to the chair and secretary of the MR.

11c. If a resolution cannot be passed due to the absence of the prescribed number of members, the chair shall immediately call a new meeting. Article 11a shall apply.

11d. If a meeting is held on the basis of the provisions of Article 11c, decisions may be taken on items on the agenda regardless of the number of members present (Article 11b does not apply).

11e. Each member of the MR has one vote.

11f. Decisions shall be taken by a simple majority of the votes validly cast. Blank and invalid votes shall not be counted. If the votes are tied, the proposal shall be rejected.

11g. Voting on matters shall be oral. The MR may deviate from this. Votes on persons will be in writing.

12a. The MR will ensure that the agendas and minutes of MR meetings are sent to the Executive Board and applicable committees of the Institution and made available for inspection in a publicly accessible place in the Institution for the benefit of interested parties.

12b. The MR shall report its activities annually in writing and shall ensure that all those involved in the Institution can take note of them.

Powers of MR

13a. The MR is authorised to make proposals, give advice and express opinions to the Executive Board on all matters concerning the Institution.

13b. Within three months, the Executive Board will submit a reasoned, written response to the MR's proposals and recommendations in the form of a proposal. Prior to this, the Executive Board will give the MR the opportunity to consult with the Board on its proposal at least once.

13c. The MR is entitled to invite the Executive Board at least twice a year to discuss the proposed policy on the basis of an agenda drawn up by it.

14. In accordance with Section 10.19(4) of the WHW and the Code of Conduct of the GRA (the Code of Conduct), the MR guards against any form of discrimination in the Institution and, in particular, promotes the equal treatment of men, women and other

persons as well as the inclusion of persons with the identities mentioned in the Code of Conduct.

15a. Without prejudice to the provisions of the Articles of association of the Institution and the Board Regulations of the Institution (the Board Regulations), the MR possesses the power of approval, as provided for in Sections 10.20 and 10.21 WHW, to adopt or amend:
   a. The Institutional Plan;
   b. the design of the quality assurance system in accordance with section 1.18 WHW, as well as the intended policy in the light of the results of the quality assessment referred to in section 2.9, second paragraph, second sentence, WHW;
   c. the Institution's Student Charter;
   d. the Board Regulations;
   e. the Education and Examination Regulations of the Institution, with the exception of the subjects referred to in Section 7.13(2)(a) to (g) of the WHW;
   f. rules on working conditions;
   g. the choice of participation systems referred to in Article 10.16a(1) WHW;
   h. MR's regulations;
   i. The Executive Board's policy on the application of sections 7.51 to 7.51g WHW (financial support for students) and section 7.51h WHW (procedural rules regarding financial support for students);
   j. a resolution to dissolve, merge or split the Institution;
   k. the main features of the annual budget, at least focusing on the intended distribution of resources between the policy areas of education, research, housing and management, investment and personnel;
   l. A decision to provide a study programme abroad as referred to in Article 1.19a(1) of the WHW;
   m. A decision on the rules to be adopted with regard to the reimbursement referred to in section 7.50(1)(c) of the WHW (reimbursement of costs related to registering for an examination after the regular registration period).

15b. In the field of the Working Conditions Act (*Arbeidsomstandighedenwet*) and the Working Conditions Decree (*Arbeidsomstandighedenbesluit*), the part of the MR elected from and by the staff is competent to:
   a. make their views known;
   b. be heard by the Labour Inspectorate (*Arbeidsinspectie*);
   c. making a request for application of the law on working conditions;
   d. the right to file an objection.

15c. The adoption or amendment of the MR's regulations as referred to in Article 15a, sub h shall only take place insofar as the proposal to this effect has obtained the consent of two-thirds of the number of MR members.

15d. With regard to the resolutions referred to under article 15a, sub m, only the part of the MR elected from and by the students is authorised to give its consent.

15e. Prior to the request for consent to the decision referred to under article 15a(j), the Executive Board will give the MR timely opportunity to take note of the merger impact assessment report as referred to in article 16.16a(4) WHW.

16a. Without prejudice to the provisions of the Articles of association and the Board Regulations, the Executive Board seeks the prior advice of the MR for each decision to be taken by the Executive Board regarding:
   a. the objectives of the Institution;
   b. the course offering;
   c. the Articles of association;
   d. the continued existence of the Institution, including in any case an institutional merger as referred to in Section 16.16(1) WHW and an administrative merger as referred to in Section 16.16(2) WHW;
   e. the proper functioning of the Institution;
   f. the budget of the Institution, which must show, among other things, the height of the institutional tuition fees and those referred to in Sections 6.7(1) WHW and 6.8(1) WHW;
   g. the general personnel and appointment policy;
   h. reorganisation;
   i. policy on the formation of the Institution's different categories of staff (OP, OOP, AOP);
   j. the allocation of tasks to the staff, not including the members of the Executive Board, insofar as it concerns a decision of general application to all or an entire category of staff members;
   k. the policy on institutional tuition fees as referred to in section 7.46 WHW and tuition fees as referred to in section 6.7(1) WHW;
   l. the policy of the Executive Board regarding repayment of statutory tuition fees referred to in section 7.48(4) WHW;
   m. the regulations laid down by the Executive Board for the selection criteria and the selection procedure referred to in Section 6.7a(1)(b) of the WHW, respectively Section 7.26 of the WHW, 7.26a of the WHW and 7.53(3) of the WHW;
   n. the regulation adopted by the Executive Board on the criteria and procedure for dispensation from payment of the higher tuition fee referred to in section 6.7a(1)(c) WHW;
   o. the rules that the Executive Board may adopt with regard to the selection of students for a special trajectory aimed at achieving a higher level of knowledge as referred to in Article 7.9b(1) WHW;
   p. the rules laid down by the Executive Board regarding the study advice and study choice activities referred to in Article 7.31(5) WHW;

q. the choice of the Disputes Committee with which the Institution is affiliated;
r. the profiles on the basis of which the members of the Supervisory Board are elected as referred to in Article 10.3d(4) WHW;
s. the profiles on the basis of which the members of the Executive Board are elected as referred to in Article 10.2(3) WHW and 9.3(2) WHW;
t. appointing or dismissing members of the Executive Board as referred to in Article 10.3d(2)(a) WHW.

16b. The Executive Board must request the advice at such a time that the advice can have a substantial influence on the decision-making. The Executive Board will give the MR the opportunity to consult before giving its advice. After the advice has been issued, the Executive Board must inform the MR as soon as possible in writing on how the advice will be followed up. If the Executive Board does not wish to follow the advice (in full), it must give the MR the opportunity for further deliberation before the decision is taken.

16c. With regard to decisions concerning the appointment or dismissal of the members of the Executive Board as referred to in Article 16a, subparagraph t, the MR shall in particular be heard confidentially on the proposed decision before it is taken, and the hearing shall take place at such a time that it may have a substantial influence on the decision-making.

16d. With regard to the decisions referred to in Section 16a, subsection g (general staff and appointment policy), Section 16a, subsection k (policy regarding institutional tuition fees and fees), Section 16a, subsection l (regulations regarding refunding of statutory tuition fees), Section 16a, subsection m (regulations regarding selection criteria and procedure) Section 16a, subsection n (regulations regarding dispensation to pay higher tuition fees), Section 16a, subsection o (regulations regarding selection for a special trajectory aimed at a higher level of knowledge) and Section 16a, subsection p (regulations regarding study advice and activities).

17. If the Executive Board submits a proposal to the MR for advice or approval, the Executive Board will expressly draw the MR's attention to its power of approval or advice.

18. Regarding the MR's right to nominate a member of the Supervisory Board for appointment, please refer to Article 4 of the Institution's Articles of Association.

19a. The MR will respond to a request for advice, approval or disapproval of a proposal within a maximum of four weeks.

19b. At the MR's request, the term referred to in article 19a can be extended by no more than two weeks.

19c. After deliberation between the MR and the Executive Board, a term other than that referred to in article 19a may be determined.
19d. At the MR's request, the Executive Board too will respond within four weeks.

Disputes

20. If, with regard to a proposal requiring the MR's approval, the Executive Board does not obtain approvaland the Executive Board wishes to maintain the proposal, this dispute may be submitted to the Disputes Committee on Participation as mentioned in Art. 10.26 WHW at the request of the Executive Board.

Evaluation

21. These regulations shall be reviewed by the Executive Board two years after adoption.

Adopted by the Executive Board on 4th of November 2024.