

# **Binding Study Advice @WUR**

A handbook for students and staff members  
(version 4.0)

Education & Student  
Affairs

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## Contents

1	PURPOSE OF THIS HANDBOOK.....	3
2	PURPOSE OF THE BINDING STUDY ADVICE (BSA).....	3
3	BSA PROCESS IN STEPS.....	4
4	SPECIAL CASES.....	9
5	APPEAL PROCEDURE.....	12
6	DEREGISTRATION AND FINANCIAL CONSEQUENCES.....	15

# 1 Purpose of this handbook

This handbook sets out the official rules relating to the Binding Study Advice, as laid down in Article 60 of the Education and Examination Regulations<sup>1</sup>, and as further elaborated in Annex 4 to those Regulations. This handbook discusses the *application* of these rules, as a guide for students and staff members. Particular attention is also paid to special cases.

- Information about the Binding Study Advice is also available for students on the [website](#).
- This handbook does not apply to the BSc Tourism programme, which has its own Education and Examination Regulations.
- Study advisers, student counsellors, exam committees and other staff members are advised to contact the department Corporate Governance & Legal Services for questions about the rules concerning the binding study advice and their application.
- Due to COVID-19 measures in the education of Wageningen University in 2020 a number of temporary emendations have been made with regard to the binding study advice. These can be found in appendix 1.

*No rights can be derived from the handbook. The handbook does not claim to be complete: the description in this handbook may not apply to a very exceptional situation.*

## 2 Purpose of the Binding Study Advice (BSA)

The BSA is an instrument to assess whether a student is suitable for their chosen study programme. It is in the joint interest of the student and the study programme that the student 'sits in the right place'. This means that if the student turns out to be unsuitable, they should stop the study programme – a far-reaching consequence. For this reason, a preliminary recommendation is given first: by identifying and discussing study delays at an early stage, students may be able to adjust their study behaviour in due time and possibly prevent a negative BSA.

The law stipulates that the institution determines when a student is considered suitable or unsuitable. Wageningen University uses the study results for this, expressed in the number of credits obtained. At Wageningen University the standard is set at 36 credits, 60% of the total credits to be earned. This standard is regarded as 'sufficient' to successfully continue the study programme.

The law also stipulates that the study advice may be *binding*: the university may decide that in case of a negative study advice the student is barred from continuing their study programme. In that case, the student may not re-register for the second year of the study programme concerned. The university may also attach a term to a binding negative study advice. At Wageningen University the student who has received a negative study advice may not re-register for the same degree programme for a period of three years.

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<sup>1</sup> The references are based on the Education and Examination Regulations 2021-2022.

### 3 BSA process in steps

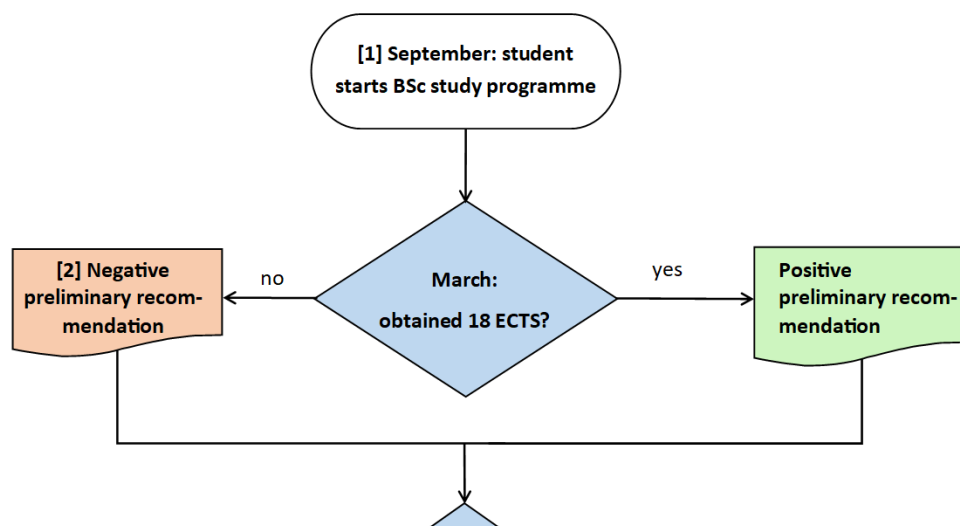
The final BSA at the end of the academic year is binding, but is not created in a vacuum. After the interim examination resit period in February, the student receives a preliminary recommendation, based on the credits obtained so far. The standard for the preliminary recommendation is set at 18 credits (60% of the number of credits that can be obtained in half a year).<sup>2</sup> If the preliminary recommendation is negative, the student is advised to contact the study adviser to discuss their best course of action. The final recommendation, the official BSA, follows at the end of the academic year. The standard for the final BSA is 36 credits. Only credits obtained for subjects that are part of the first-year syllabus, in other words B1 subjects for the study programme concerned, as specified in the study handbook, are taken into account.

The diagram below shows all the decision steps in the BSA process. Each step is described in more detail: what are the criteria for a particular decision; what must the student do; which other parties are involved?

#### [1] September: student starts the study programme

Students are supported from the start of the study programme to increase the chance of them receiving a positive BSA.

- At the introduction day in August, and at a first group meeting in September, the study adviser provides oral information about BSA, the information on the website, and the ways in which to contact the study adviser.
- First-year students receive master classes in 'Study Attitude' and 'Effective Studying' between September and December.
- Between November and January, first-year students and their student advisers have contact in a variety of ways. Students are encouraged to reflect on their study attitude/behaviour and what goals they see for themselves.
- The student advisers monitor the study progress in January and contact first-year students who have made too little progress.



<sup>2</sup> Some study programmes form an exception to this rule: they have a subject that extends over a longer period (known as a *lintvak* or 'longitudinal course') in term 3 and 4, which means that students cannot obtain more than 27 credits in half a year instead of 30. These students receive an adapted preliminary recommendation.

## [2] Negative preliminary recommendation

Students who have obtained fewer than 18 credits receive a negative preliminary recommendation. A negative preliminary recommendation leads to a meeting between the student and their study adviser. These meetings are held in March and April; the student takes the initiative.

The preliminary recommendation is negative even if there were special reasons why the student could not achieve the required 18 ECTS, such as illness. The student informs the study adviser and student dean about any special personal circumstances, so these can be taken into account when determining the final BSA. Also see Chapter 4 'Special cases' below.

There are no consequences attached to a negative preliminary recommendation.

If there are *no* special circumstances, but the student nevertheless sees that the final BSA will most likely be negative – for example because of a negative preliminary recommendation – they are advised to contact their study adviser. The study adviser and student will then discuss topics such as how motivated the student is about the study programme, any study problems, special circumstances and, where applicable, the student's choice to deregister (also see Chapter 6 'Deregistration and financial consequences' below). If relevant, the study adviser can refer the student to a Study Skills training course.

## [3] July (after term 6): obtained 36 ECTS?

Those students who at the end of period 5 already comply with the BSA-norm are notified of this in June (through Osiris). They can now start re-registration for year 2.

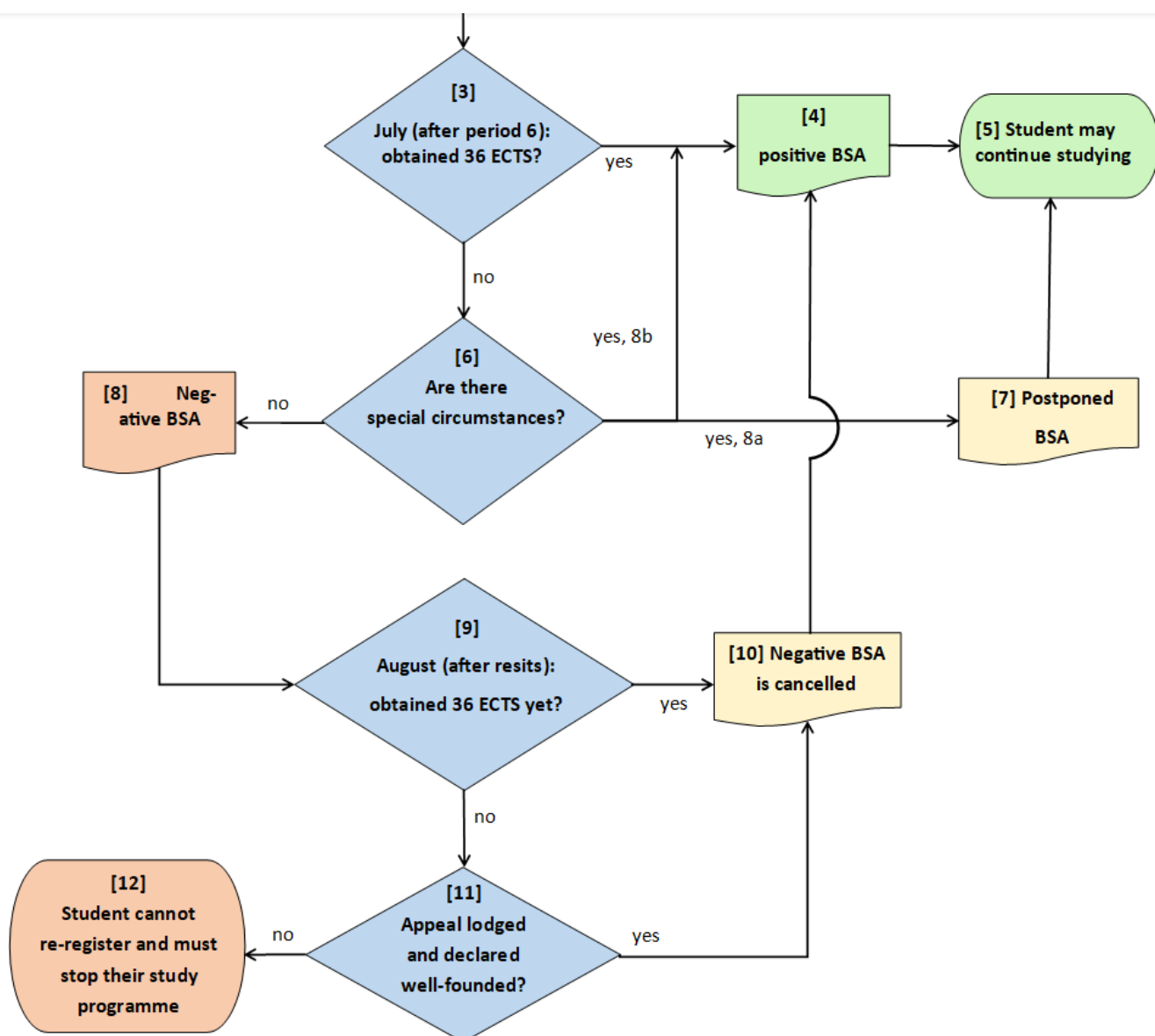
No later than twenty working days after the completion of term 6 (usually this is in July), the final BSA will be issued. This is done by the examination committee of the study programme. Wageningen University has set the standard for the advice at 36 ECTS, achieved with subjects from the first-year study programme. Final BSAs are sent to students' WUR email addresses. In contrast to the preliminary recommendation, consequences are attached to the final Binding Study Advice.

## [4] Positive BSA

If a student has obtained 36 credits or more by the end of term 6, then nothing is wrong: they receive a **positive BSA** and may continue their study programme.

## [5] Student can continue the study programme

The student submits a request for re-registration through Studielink and transfers to second year.



## [6] Special circumstances

If the student has obtained fewer than 36 credits, but was unable to obtain the required credits because of special individual circumstances, the examination committee may take this into account when determining the BSA. Two types of special circumstances exist; depending on the student's situation, a different path has to be taken.

- a. If the student believes personal circumstances apply, as described in the Education and Examination Regulations (Appendix 4, Article 5 'Personal circumstances'), they should submit their situation to the student dean. The student needs to do this within two months of the occurrence of the cause that led to the study delay. The student dean decides whether and to what extent there are special circumstances. The student dean can determine that the personal circumstances have led to a study delay, expressed in a certain number of credits. In consultation with the student, the student dean will pass on this information as a recommendation to the study adviser and the examination committee.

- b. Certain categories of students are unable, for other reasons, to obtain 36 credits in first-year subjects, for example because they have exemptions, or are following a flexible study programme. The manner in which the BSA regulation applies to these students is described for each category; see Chapter 4 below for a more detailed description of all categories.

## [7] Postponed BSA

Based on the student dean's recommendation, the examination committee may decide to give students in category 6a [see step 6 above] a **postponed BSA**. The student may then re-register and has until the end of the following academic year to obtain 36 ECTS in first-year subjects (B1 subjects). Credits for first-year subjects that the student already obtained in the first year count towards determining whether the BSA standard has been achieved.

## [8] Negative BSA

If the student has obtained fewer than 36 credits and *no* exception exists [see step 6 above], the student will receive a **negative BSA**. This advice is binding and has consequences. The student must stop the study programme and is not allowed to re-register for it for three years.

## [9] August (after the interim examination resits): obtained 36 ECTS yet?

After the BSA has been determined and the student has been informed, they can take **interim examination resits in the summer**. The credits that the student obtains with the interim examination resits still count towards the BSA.

## [10] Negative BSA is cancelled

If the student obtains at least 36 credits after taking the interim examination resits, the **negative BSA** will be **cancelled** and converted into a positive BSA. If the student had received a postponed BSA, participated in the interim examination resits and achieved the BSA standard, this postponed BSA will be converted into a positive BSA. In both cases, the student does not need to take any action. Once the student has received the revised BSA decision from the examination committee, they can request re-registration through Studielink and continue their studies. If the student had already submitted a request for re-registration, this request will be processed.

## [11] Appealing against a negative BSA

If the student does not take interim examination resits in the summer, or does not meet the BSA standard even after taking those resits, the negative BSA decision will remain in force. If the student disagrees with a negative BSA for good reason, they must always lodge an appeal with the Examination Appeals Board. For example, there may be an administrative error, or special circumstances that occurred only recently and therefore were not yet known to the examination committee [see step 6 above]. The sooner the student lodges an appeal, the sooner the Examination Appeals Board can make a decision.

As long as the appeal procedure is ongoing, the negative BSA decision will remain in force; if the student has already submitted a request for re-registration for the new academic year, this request will be granted only after the BSA decision has been revised. Until then, the student cannot continue their studies, even if the decision is made after 1 September.

The appeal procedure is described in various regulations, which are part of the [Student Charter](#):

- the regulation Legal Protection of Students;
- the Education and Examination Regulations (EER, Chapter 11);
- the Rules and Regulations for Examination Committees of Wageningen University (Chapter 8).

In addition the procedure is described on the [WUR-website](#), on the page 'Legal protection for students: appeal, objection, complaint' and in Chapter 5 of this handbook.

The study adviser, the student counsellor and the electronic counter for appeals, objections and complaints (part of the Corporate Governance & Legal Services department) can give the student further information about the procedure.

## [12] Student must stop their study programme

If the student does nothing after receiving a negative BSA, or if an appeal procedure does not lead to a revision of the BSA decision, the student's registration will expire automatically at the end of the academic year. If the student submits a request for re-registration, or has already submitted one, this request will be rejected. The student may not re-register for the study programme for which they have received a negative BSA for three years.



## 4 Special cases

A negative BSA has major consequences for the student. Because much depends on the BSA, the exceptions and special situations that could apply are described below.

Special situation	Description	Application of BSA	Relevant EER articles
<b>1. Registration after 1 October</b>	Students who start a Bachelor's study programme after 1 October. This includes students who transfer to another WUR study programme during the academic year.	These students have twelve months to meet the BSA standard. The same BSA standard applies, but the timetable does not.	EER App. 4, Article 3.7
<b>2. Personal circumstances</b>	The student was unable to obtain 36 ECTS because of special personal circumstances. Eight types of personal circumstances are recorded in the Education and Examination Regulations. The student must inform the student dean in good time whether they think that this regulation applies to them.	The examination committee will decide whether any special personal circumstances exist; the student dean's recommendation will weigh heavily in the examination committee's decision. If the examination committee believes that the study delay is indeed the result of special personal circumstances, a postponed BSA will be issued. This means that a final BSA will be postponed for a year. The student may continue the programme, but still has to meet the BSA standard for first-year (B1) courses at the end of the next academic year. <b>[see case A below]</b>	EER App. 4, Articles 4 and 5
<b>3. Premaster students</b>	Premaster students are enrolled as Bachelor's students.	Premaster students fall outside the BSA regulation, even if they attend first-year subjects. They receive no letter.	
<b>4. Switchers</b>	Students who were registered on another study programme in a previous academic year start with a clean slate. But often something exceptional is often going on [see 4a and 4b below].	In principle, the same BSA regulation applies to switchers as to other first-year students, although first-year courses that were obtained earlier do not count towards the BSA norm.	
<b>4a. Switchers from outside WUR</b>	Students who previously were registered in a programme outside WUR and who were <u>exempted</u> for one or more first-year courses.	The student must obtain 36 ECTS in first-year subjects, or if their study programme is smaller than 36 ECTS, all first-year subjects (B1 subjects). <b>[see case B below]</b>	EER App. 4, Articles 2.4 and 3.3
<b>4b. Switchers who were previously registered for a different WUR study programme</b>	Students who were previously registered for a different WUR study programme, have switched (with or without a negative BSA) and have already passed components of that previous study programme that also form part of the first-year syllabus of the new study programme. Their first-year programme therefore consists of fewer than 60 ECTS. In	If the subjects have the same course code, they will be listed as 'passed' in the system. The student cannot take these subjects again, but they also do not count towards the BSA. The student must then obtain 36 ECTS in other first-year subjects, or – if impossible because there are too few first-year subjects that the student still has to do – in all <i>possible</i> first-year subjects.	EER App. 4, Articles 2.4 and 3.3 (exemptions include the situation in which the same course was earlier obtained in a different WU-programme)

	practice, an individual study syllabus is often drawn up, which may include second-year subjects.		
<b>5. Students who were previously registered in the same study programme</b>	Students who were previously registered in a study programme, had deregistered during the academic year and have now re-registered for the same study programme.	Subjects passed previously do not count towards the BSA standard. If the subjects have the same course code, they will be listed as 'passed' in the system. The student cannot take these subjects again, but they also do not count towards the BSA. The student needs to obtain 36 credits with other first-year subjects, or - if this is impossible because there are too few courses left that the student needs to do - all remaining B1-courses.	EER App. 4, Articles 2.4 and 3.4
<b>6. Flexible study programme</b>	The first-year syllabus of a student with a flexible study programme may include second- or third-year subjects. The examination committee must approve a flexible study programme in advance (for details: see the Regulation Flexible Study Programme).	To determine the BSA standard, those courses are relevant that the student has included in their first-year programme as approved by the exam committee. <i>Note: Students are advised to contact the study advisor so that he/she can timely inform the exam committee about correct administration of the BSA.</i>	EER App. 4, Articles 2.4 and Regulation Flexible Study Programme
<b>7. Registering for several study programmes simultaneously</b>	The student is registered for several WUR study programmes.	The BSA applies only to one study programme. If due to exemptions of courses earlier obtained at WU the syllabus for one of the programmes contains fewer than 36 credits, the BSA is given for the other programme. If fewer than 36 credits remain for both programmes, the BSA is given for the programme with the most obtainable credits. If the student registers for a second programme in a later year, they will not receive BSA for that second programme.	EER App. 4, Articles 3.8 and 3.9
<b>8. Deregistration during the academic year</b>	The student deregisters before 1 February.	The student is not registered, is no longer a student and does not receive a BSA. If the student has already passed subjects during the academic year, these no longer count towards the BSA if the student re-registers in a subsequent academic year.	
<b>9. Hardship clause</b>	If, in a specific case, a negative BSA turns out to be unduly unfair, the exam committee can opt to use the hardship clause. This is only done in very exceptional cases when the BSA would have serious consequences.	Despite the fact that the student does not meet the BSA standard, the exam committee may disregard or deviate from the rules as stipulated in the EER. For instance, the exam committee may give a postponed or positive BSA even though the student does not meet the BSA standard.	EER App. 4, Articles 6, 2 and 3

## 4.1 Case A

In March of his first year of study, a student becomes ill; he has to undergo medical treatment and is admitted to hospital for some time in June. By the end of the academic year his study delay is such that he has obtained only 24 credits. He has not contacted the student dean or discussed his situation with his study adviser.

### **How is the BSA determined?**

Since the special circumstances were not known, only the number of credits obtained is taken into account for determining the BSA. The student receives a negative BSA.

### **What next?**

The student appeals. The Examination Appeals Board asks the examination committee to investigate whether an amicable settlement can be reached. If it can be determined that the study delay is caused by special personal circumstances the negative BSA will (most likely) be changed to a postponed BSA.

## 4.2 Case B

A student is in the first year of the BSc Animal Science programme. She was previously registered in the Veterinary Medicine programme at another university. The student starts in 2021-2022 with an WUR Bachelor's degree in Animal Science and is granted exemptions for basic science and biology subjects.

- a. The student fills the gaps in her timetable with second-year subjects.
- b. She must obtain a further 30 credits in first-year subjects.

### **How is the BSA determined?**

This student is a switcher from outside WUR who was exempted for 30 credits (Chapter 4, category 4a). To receive a positive BSA, she needs to get 36 credits worth of first-year courses. In this case there only 30 credits to be gained; the student therefore needs to get 30 credits worth of B1-courses.

### **The situation**

At the end of the academic year, the student has obtained only 27 of the total 30 credits that she was able to obtain in first-year subjects. That means that she would normally receive a negative BSA. However, she has obtained 24 credits in second-year subjects. In total, she has therefore obtained 51 credits in her first year, fifteen more than the 'regular' standard of 36.

### **What next?**

The student submits her situation to the study advisor, and for assessment to the examination committee. The examination committee then decides whether the BSA regulation has an *unjustifiably* negative impact on this student. If the examination committee finds this is the case, it may use a hardship clause [Education and Examination Regulations Appendix 4, Article 6].

## 5 Appeal procedure

The Binding Study Advice is issued by the examination committee of the study programme on which the student is registered. If the student believes that a negative BSA was wrongly issued, they can appeal against the examination committee's decision. As long as the appeal procedure is ongoing, the negative BSA decision will remain in force; if the student has already submitted a request for re-registration for the new academic year, this request will be granted only after the BSA decision has been revised. Until then, the student cannot continue their studies, even if the decision is made after 1 September.

The appeal procedure is described in various regulations, which are part of the [Student Charter](#):

- the regulation Legal Protection of Students;
- the Education and Examination Regulations (EER, Chapter 11);
- the Rules and Regulations for Examination Committees of Wageningen University (Chapter 8).

In addition the procedure is described in Chapter 5 of this handbook and on the [WUR-website](#), on the page 'Legal protection for students: appeal, objection, complaint'. Here a **form** can be found with which an appeal can be lodged. The study adviser, the student counsellor and the electronic counter for appeals, objections and complaints (part of Corporate Governance & Legal Services) can give the student further information about the procedure.

The procedure described below is a further elaboration of step 11 in the diagram in Chapter 3; no rights can be derived from it.

### 5.1 Appeal procedure in steps

#### [1] Student appeals against the negative BSA

If students appeal against a negative BSA, they lodge an appeal with the Examination Appeals Board against the examination committee's decision. The student does this by completing a [form](#) to lodge a notice of appeal with Legal Protection ([legalprotection.students@wur.nl](mailto:legalprotection.students@wur.nl)).

- The period for lodging an appeal is six weeks, starting on the day on which the negative BSA is communicated to the student. Legal Protection forwards the appeal to the Examination Appeals Board.
- Students can also lodge an appeal against a postponed BSA, if they are of the opinion that a positive BSA should have been issued.

#### [2] Examination committee examines the facts

The Examination Appeals Board does not deal with the appeal directly, but first addresses the examination committee that issued the negative BSA.

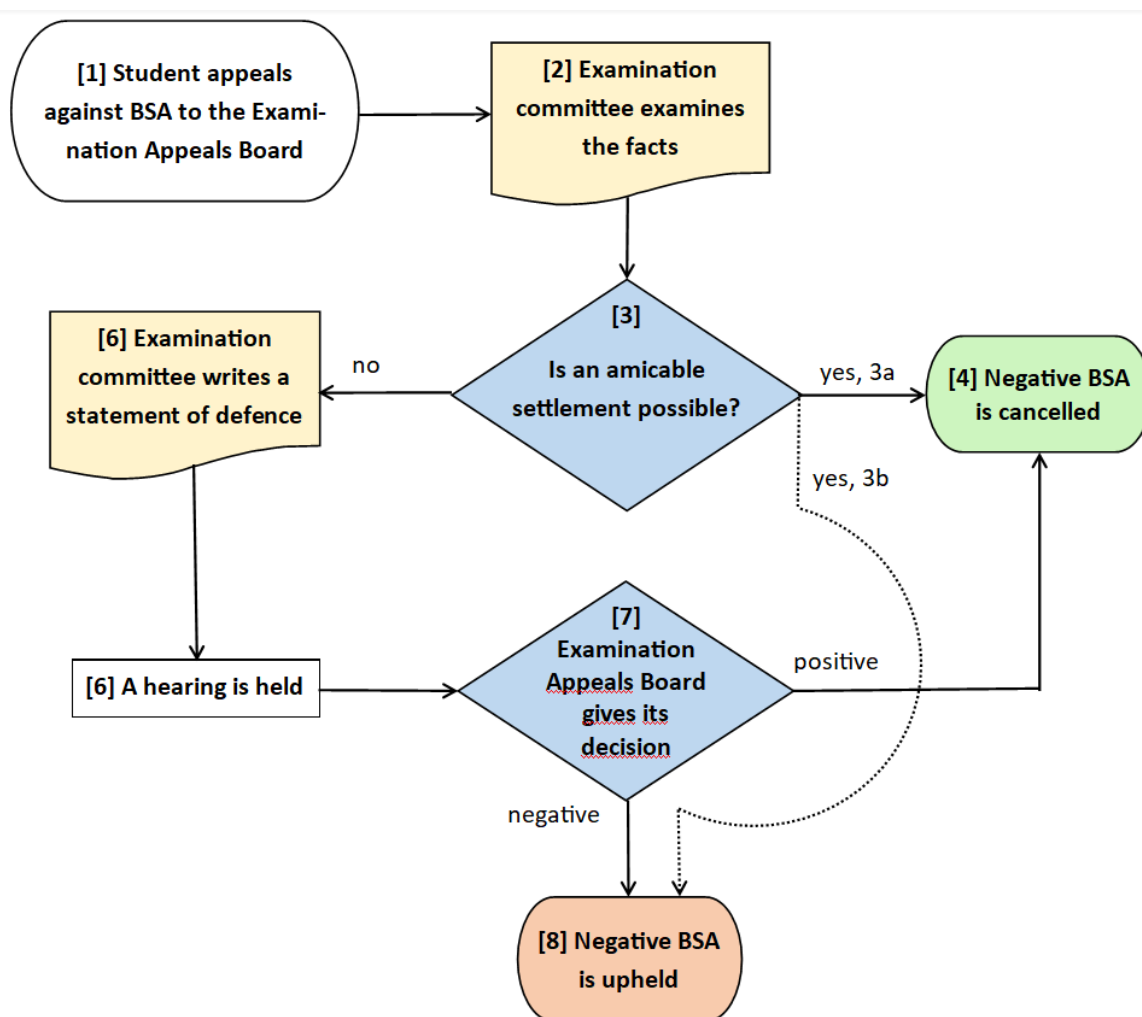
- The Examination Appeals Board requests the examination committee to investigate whether an 'amicable settlement' is possible: can both parties (student and examination board) find a solution together?
- The exam committee first checks whether there are any administrative shortcomings; are the data on which the negative BSA is based correct?

### [3] Amicable settlement

An amicable settlement means that the student and examination committee have reached an agreement and that the examination committee revises its original decision (a negative BSA).

[3a] If an amicable settlement has been reached, the appeal procedure has been completed and the student is requested to formally withdraw the appeal.

[3b] The student can also accept the negative BSA. In that case, the student withdraws the appeal and the negative BSA remains in force.



### [4] Negative BSA is cancelled

If the outcome of the amicable settlement is that the examination committee revises its original decision, the negative BSA will be cancelled. Depending on the student's personal situation, they will receive a positive BSA or a postponed BSA (see Chapter 3, step 6).

### [5] Examination committee writes a defence

If the examination committee and the student fail to reach a decision together, the examination committee will write a 'statement of defence', in which it explains why it was not possible to reach an amicable settlement. The Examination Appeals Board then takes over the appeal process.

## [6] Hearing

The Examination Appeals Board convenes a hearing in which those involved are given the opportunity to explain their position in more detail. The student and a representative of the examination committee always attend the hearing. The parties may arrange to be supported by, for example, a student dean, a lawyer, an expert or a family member. The Examination Appeals Board may also invite others to attend the hearing, such as a student dean.

If the situation is not clear after the hearing, a second hearing may follow.

## [7] Examination Appeals Board gives its decision

Within five working days of the last hearing, the Examination Appeals Board gives its decision. The Examination Appeals Board has a total of ten weeks – calculated from the day the notice of appeal is received – to reach a decision. Within five working days of the decision, the parties concerned will be informed of its content. On completion of the entire appeal procedure, a written report will be sent to all concerned.

If the student is proved right, the original decision (i.e. the negative BSA) will be annulled. The examination committee will then give the student a positive BSA or a postponed BSA.

## [8] Negative BSA is upheld

If the examination committee is proved right and the student's appeal is declared unfounded, the negative BSA will remain in force. The student may also appeal the decision of the Examination Appeals Board; they must then lodge an appeal with the Higher Education Appeals Tribunal within six weeks.

## 6 Deregistration and financial consequences

As the binding study advice has consequences for continuing or not continuing the study programme, there are also financial consequences.

### 6.1 Deregistration

If the student decides to leave the study programme during the academic year, they may submit a deregistration request through Studielink. The student will then be deregistered on the first day of the month following the month in which the request for deregistration was submitted in Studielink.

If the student receives a negative BSA in July, and that advice is not revised after the interim examination resits, the student's registration will automatically expire on 1 September.

### 6.2 Refund of tuition

If the student deregisters during the academic year, they will be entitled to a partial refund of the tuition fees. For example, if the student requests deregistration on 25 February, the deregistration will take effect on 1 March, and the student will be entitled to a refund of six months' tuition fees (March to August), i.e. 50% of the tuition fees paid.

If deregistration occurs after 1 June, the student is not entitled to a refund of part of their tuition fees. Even if the student's registration ends automatically on 1 September because of a negative BSA, the tuition fees paid cannot be reclaimed.

### 6.3 Student grants and loans

If a student deregisters during the academic year, their right to financial assistance ceases to apply. The student must promptly stop their own financial assistance (additional grant and/or public transport card).

#### **If the study programme is ended before 1 February**

If the student receives a performance grant and leaves their study programme, the performance grant can be converted into a gift, *provided that* three conditions are met:

- a. the student deregisters before 1 February;
- b. the student received a performance grant in higher education *for the first time* (additional grant and/or public transport card);
- c. the student does not receive financial assistance for the rest of the academic year; the student must have personally arranged this with the Education Executive Agency (DUO).

The performance grant that was awarded in the first academic year (in this case for the period from September to January) will be converted into a gift only if all three of these conditions are met. This has consequences for the financial assistance to which the student may be entitled if they subsequently register for a study programme again.

#### **If the study programme is ended between 1 February and 1 September**

If the student *does not* register for another study programme by 1 September, their right to financial assistance ceases to apply. It is the personal responsibility of the student to promptly stop their financial assistance, including the public transport student card. If the student does not obtain a Bachelor's degree within ten years, they must take into account that the financial assistance provided by DUO will not be converted from a loan to a gift. The student will then have to repay the loan.