



Education and Examination Regulations Thomas More



Academic year 2018-2019



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Introduction

All references in these regulations to persons and functions refer to both female and male individuals.

These regulations apply to students who are registered at Thomas More with a diploma contract, a credit contract, or an exam contract. These regulations also apply to incoming exchange students. The name 'Thomas More' includes the two legal entities Thomas More Antwerp-Mechelen and Thomas More Kempen. For all provisions of these regulations, these two legal entities are considered together as a whole.

The description of Thomas More's educational offer as published on the internet is an integral part of these education and examination regulations. The course overview (also called the programme guide) contains a complete overview of the programme-specific information and all ECTS sheets, and can be consulted on the Thomas More website.

The programme guide is final and available before the start of the academic year. After the start of the academic year, changes to the programme guide can only be made with permission from the programme manager.

With every curriculum change, the programme publishes the transitional provisions. These are also part of the education and examination regulations. Thomas More guarantees that a student can validate any previously obtained credits within the new study programme.

Structure of the academic year

Thomas More organizes its courses in the form of a semester system. Course units are only spread over more than one semester if this is educationally justified.

Deviations and changes

Only the programme manager can deviate from the education and examination regulations; he must add a justification, and any deviation should always be in favour of the student. As far as re-enrolment of students who have been refused is concerned, this is only possible after consultation with 2 employees delegated by the managing director. The programme manager reports any deviation to the director of student affairs at Thomas More.

Only the Academic Council can allow changes to the education and examination regulations.

1 Education regulations

1.1 Conditions for admission

Art. 1. General admission requirements for all Thomas More programmes

A candidate is only admitted to a study programme or course units at Thomas More if he meets the decree conditions with the additions specified below.

The specific diploma conditions for each individual programme (and the course units thereof) are stated in the programme guide.

For admission to a programme or course unit, the candidate must have a learning account higher than zero. Corresponding Art. 28. deviations may be allowed for this.

Candidates who do not meet the admission requirements for a degree programme can enrol for a credit contract or credit-exam contract for course units of that programme, subject to permission from the director of student affairs. The candidate applies for this admission via admission@thomasmore.be and adds with his application the study certificates that show that he is sufficiently competent to be able to follow the course units. The student affairs director assesses the application and justifies the decision based on the previously acquired qualifications. Pupils who follow the final year of secondary education can always register for a credit contract of a maximum of 10 credits.

A (prospective) refugee who has obtained diplomas abroad, which could be considered equivalent, but who cannot present the obtained diplomas because of his special situation, can prove by all means that he possesses the required diploma. The candidate is admitted to the programme if Thomas More can establish with sufficient certainty that the diploma has been obtained. If it turns out to be impossible to provide conclusive evidence, Thomas More can still decide to enrol the candidate on the basis of additional tests: the language test and, if successful, a specific test.

Art. 2. Deviating admission conditions

§1. Specific admission by the director of student affairs is required for the following candidates:

- Candidates who obtained their diploma outside Belgium. This specific admission is not required for holders of a VWO-certificate, an MBO-4-diploma and for candidates who passed a propedeuse in the Netherlands.
- Candidates who do not have a diploma that gives access to higher education and who wish to enrol for a Dutch-language Bachelor's degree programme through the deviating admission procedure of the KU Leuven Association (<http://associatie.kuleuven.be/onderwijs/studeren-op-maat/toelating>).

These candidates send an application to the central student administration via admission@thomasmore.be.

§2. Specific admission by the programme manager is required for candidates who wish to enrol for a credit contract or an exam contract after the third Wednesday of the semester with a view to obtaining a credit certificate.

Art. 3. Language conditions

§1. Dutch-language courses

A candidate who does not have a secondary education diploma from the Flemish community can only be admitted to a Dutch-language study programme if he meets one of the following language requirements:

- a) prove that he has successfully passed the exams of at least one academic year in secondary or higher education or at least 60 credits in higher education with success in Dutch;
- b) submit a certificate proving that he/she is fluent in Dutch at level B2 of the European reference framework for languages.

§2. English-language courses

A candidate who does not have a Flemish or Dutch secondary or higher education diploma can only be admitted to an English-taught programme if he meets one of the following language requirements:

- a) prove that he has passed the examinations of at least one academic year in secondary or higher education or at least 60 credits in higher education with success in Dutch;
- b) submit a certificate proving that he/she is fluent in Dutch at level B2 of the European reference framework for languages.

§3. Exception

For an enrolment in the programmes for which an artistic admission test is organized, the language level of the prospective student can be assessed as part of the admission test.

Art. 4. Admission requirements to a post-bachelor programme

To be admitted to a Post-bachelor's degree programme, the candidate must have a Bachelor's degree.

The programme guide mentions which specific diplomas provide direct access to a Bachelor-after-bachelor's programme. The admission to registration may also be made conditional on a suitability test.

Art. 5. Admission requirements for a postgraduate programme

To be admitted to a postgraduate programme, a candidate must have a Bachelor's or Master's degree or an equivalent.

Exception: a student can also be admitted if he or she proves through an assessment that he/she meets the requirements of the programme.

Art. 6. Admission for a subsequent study programme

Students who have to finish fewer than 54 credits of a programme at the start of the academic year may also enrol for a subsequent programme.

1.2 Registration rules

Art. 7. General

By registering, the student concludes an agreement with Thomas More for the duration of one academic year with rights and obligations for both the student and the university of applied sciences.

A student who registers for the first time at Thomas More is definitively enrolled when he presents himself for registration at the student administration. For a student who re-enrols, enrolment is definitive as soon as he has completed the online re-enrolment application. The student owes the registration fee after the final registration.

If the government demands as an additional registration condition for a specific course programme that the candidate takes part in a compulsory non-binding admission test, the student hands in a certificate of participation at the latest during the final registration at the student administration. The candidate downloads this proof after taking the admission test on onderwijsskiezer.be. The programme manager may exempt students who have already obtained a Bachelor's degree from the non-binding admission test. The board of examiners may impose further training on a student who has not obtained the caesura for the test or who was exempted from the test.

The agreement can be dissolved if it appears that the student does not meet the necessary conditions.

In the event of fraud with admission documents, any credit certificates and diplomas obtained will be declared null and void, regardless of when the fraud is established.

Art. 8. Moment of registration

A student registers preferably before the start of the academic year and no later than 15 March. No registration is possible after this date.

Registration with a credit contract or a credit-exam contract for course units that are organized in the first semester or throughout the academic year is only possible until 1 December.

Art. 9. Re-enrolment after an interruption of at least 3 years

A student who has interrupted a certain study programme for at least three years and who re-enrols, will be considered as a student who is enrolled for the programme in question for the first time. He retains his acquired credit certificates. For all other applications in this regulation, the calculations are restarted from scratch.

This student regains the right to enrol for that degree programme and course units in spite of any previously, internally imposed, study progress measures.

1.3 Tuition fee

Art. 10. General

The tuition fees and the general invoice conditions are published on the Thomas More website: <http://www.thomasmore.be/inschrijven/studiegeld> and <https://www.thomasmore.be/en/degree-students/financial-information>

Art. 11. Charging extra study costs

For each academic year, a student with an exam contract pays the one-time sum of 50 EUR for the use of the electronic learning environment on top of the tuition fee.

Costs for the use of goods and the organization of specific events can be passed on to the student insofar as they are directly related to the organization of the course. These extra costs are charged by the study programme.

Art. 12. Non-payment of bills

If a student does not pay tuition fees even after a warning notice before the deadline, his student account is disabled, as a result of which he no longer has access to e-mail, the electronic learning environment, KULoket, etc. He is not entitled to education and cannot participate in the exams. Moreover, the examination board will not release its results in SAP and the student will not receive a credit certificate for the course units in question. The suspension is only cancelled when the student has paid the amounts due for the already completed period.

Art. 13. Reimbursement or recalculation of tuition fees for deregistration

For a student who discontinues his studies or changes programmes, a refund or recalculation of the tuition fee is possible. In case of early deregistration from a postgraduate no tuition fee will be reimbursed.

The amounts are listed on the Thomas More website.

(<https://www.thomasmore.be/en/students/discontinuing-your-studies-deregistration>)

1.4 Contract types

Art. 14. Diploma contract, credit contract and exam contract

When enrolling, a student registers for one or more of these types of contracts:

- a diploma contract with a view to obtaining a diploma or certificate;
- a credit contract with a view to obtaining a credit certificate for one or more course units;
- an exam contract with a view to obtaining a diploma (a diploma-exam contract) or a credit certificate for one or more course units (a credit-exam contract).

Students with an exam contract are only entitled to take exams and cannot rely on the support services of Thomas More. The programme guide states which courses cannot be taken in the form of an exam contract.

By registering, the choice for a type of contract becomes definitive. A change is only possible after the end of the academic year.

Art. 15. Combination possibilities of contracts

A student can register for a combination of different contracts. A combination of a diploma contract for a study programme and exam contract(s) for course units of the same study programme is excluded.

1.5 The study programme of the individual student

Art. 16. Model route and programme stages

Every initial Bachelor's programme has a model route. This consists of three programme stages of 54 to 66 credits each.

A student who only follows courses from one programme stage in one academic year will receive a timetable arrangement and an exam schedule for all compulsory course units without overlaps.

Art. 17. Composition of the annual programme

Each student records his individual annual programme no later than the third Wednesday of the academic year.

A student who registers after the start of the academic year has two weeks to present an individual year programme.

If a student fails to compile his individual annual programme in time, the study programme will impose a programme of its own creation.

A student can only register for complete course units.

A student must take all the credits of the first programme stage before he can take other courses.

A student always includes the compulsory course units for which he did not pass in a previous academic year.

Students who wish to enrol after the 3rd Wednesday of a semester and take courses that have been scheduled in that same semester can only do so with explicit permission from the programme manager.

The programme manager approves the individual annual programme as soon as possible or, in consultation with the student, establishes another programme.

Art. 18. Changes to the annual programme

A student can change the composition of the individual annual programme

- up to and including the third Wednesday of the academic year for all course units;
- from the start of the second semester to the third Wednesday of the second semester with regard to the courses that are organized in the second semester.

If a student registers after the start of the academic year, he can change the individual annual programme until two weeks after his enrolment.

After these dates, changes to the annual programme are only possible for a change of

- the specialization;
- the educational subjects in the Bachelor of Education: Secondary Education programme.

Art. 19. Tracking courses in another study programme or at other institutions

Each course programme determines whether the student can also take course units in another study programme or at another national or foreign institution for higher education as part of a diploma contract.

A student may also propose to replace course units of a programme with other courses in programmes within or outside Thomas More. The programme manager decides on the student's proposal.

Unless the programme manager justifiably decides otherwise, the number of credits from the other institution is transferred over to the individual annual programme of the student.

1.6 Exemptions

Art. 20. The application and granting of an exemption

A student applies for exemptions during his first registration for a course no later than the third Wednesday of the academic year. The student who registers after the start of the academic year will apply for any exemptions no later than two weeks after his registration. In the further study route, the student can only apply for additional exemptions if new elements present themselves.

The student directs an application for exemption to the programme manager. He adds a file with the previously obtained credit certificates, certificates of competence or other study certificates.

The programme manager decides on the granting of the exemptions and on their size, if necessary, after consultation with the lecturers involved. The number of credits for which an exemption is granted is included in the individual study programme of the student.

Does the student want to request an exemption for the entire programme? Then the board of examiners will decide on the granting of the exemptions at a subsequent deliberation.

Art. 21. Consequences of the exemption

§1. A granted exemption is final. A student cannot return to his requested and granted exemption.

§2. A student must enrol for course units with partial exemptions or partial transfers for the entire course unit.

§3. If the exemption is awarded on the basis of a credit certificate, the previously obtained exam result for the equivalent course unit will only be taken over if it concerns identical course units.

Art. 22. Acquiring a certificate of competence based on previously acquired competences (PAC)

A student who believes he can claim a certificate of competence on the basis of previously acquired competences (PAC) follows the procedure of the KU Leuven Association. (<http://associatie.kuleuven.be/onderwijs/documenten/reglement-evcevk.pdf>).

Any proof of competence resulting from this procedure is indefinitely valid.

Does the student start the PAC-procedure after 15 August? Then the course programme can no longer guarantee that the file is processed in time to be able to

apply for an exemption for the first semester. If the student starts the PAC-procedure after 1 December, the programme cannot guarantee that the file has been processed in time to request an exemption for the second semester.

Art. 23. Appeal

Decisions concerning the awarding and the extent of a certificate of competence or exemption can be appealed against by a student as stipulated in Art. 95.

1.7 Measures of study progress

Art. 24. Refusal on the basis of low study efficiency

Students who still need to earn more than 120 credits (180 credits for Bachelor's degree of Nursing) to obtain the Bachelor's degree and who obtain less than 30% study efficiency after the last examination period will be refused re-enrolment in the same programme.

Art. 25. Refusal on the basis of binding conditions

Students who still need to earn more than 120 credits (180 credits for Bachelor's degree of Nursing) to obtain a Bachelor's degree at the end of the academic year and who have less than 60% study efficiency after the last examination period are subject to binding conditions by the board of examiners. These conditions at least imply that the student must achieve a study efficiency of at least 60% in the following academic year, if he registers for the same degree programme.

If the student does not meet these conditions during the next academic year, he will be refused for re-enrolment for this programme.

Art. 26. Refusal of further enrolment on the grounds of non-passing after sufficient enrolment opportunities for a specific course unit

§1. A student who does not pass for the same course unit during 2 or more academic years is refused a third or subsequent enrolment.

However, a third enrolment is always possible if the student has achieved at least 60% study efficiency.

Any refusal on the basis of sufficient enrolment opportunities for a particular course unit applies not only to the enrolment for the course unit in question, but to every programme in which the course unit is compulsory.

In the case of programme changes in which the course that gives rise to the refusal is cancelled and is not replaced by courses with similar learning objectives, the refusal can be lifted at the request of the student. If the course unit is replaced by another course unit with identical learning objectives, the refusal also applies to this course unit and the study programmes in which it occurs.

Art. 27. Denial of access to a traineeship an possible refusal

A special cases and on objective grounds, the limited board of examiners may interrupt the internship temporarily or permanently if the student at that time proves to be unfit for the practice of a profession for which he is trained by the programme he is following.

If necessary, the limited examination board will lay down the binding conditions under which the student may resume his internship.

If the data in the file show that a subsequent enrolment for this internship will not lead to a positive result, the board of examiners may refuse to re-enrol the student whose internship was interrupted or terminated prematurely in the study programme of which this internship is a part.

Art. 28. Scope and duration of the refusal

A refusal on the grounds of Art. 24. Art. 25. Art. 26. Art. 27. applies for the next three academic years. It applies to the programme in which the student was enrolled and to the programs that lead to the same diploma, as well as to the follow-up programmes. For the course units in all these programmes, the student cannot enrol in the form of a credit contract or examination contract either.

Art. 29. Refusal on the grounds of insufficient learning account

A student will not be admitted to (re-)enrolment in a program if his learning account is less than or equal to zero.

As an exception to this, a student who was enrolled without interruption in the two previous academic years and still has to complete a maximum of 30 credits will be admitted to continue that study programme for one academic year.

Art. 30. Appeal

Students can appeal against a measure of study progress monitoring as determined in Art. 95.

2 Examination regulations

2.1 Organisation of examinations

Art. 31. Exam periods

There are three exam periods in an academic year:

- the first exam period during the first semester, for exams on the course units that take place in that semester;
- the second exam period during the second semester, for exams on the course units that take place in that semester;
- the third exam period in August and September, during which a student can take his second exam attempt.

If a student registers after the third Wednesday of the semester for a course unit of which the first examinations have already been taken, then these missed exams will be the first exam attempt. The student takes these course units in the annual programme at his own risk. For course units that run throughout the academic year, the evaluation moments can be scheduled during the first and second exam periods. The final mark is determined during the second exam period.

If an evaluation is not organized at the end of the semester, this will be mentioned in the programme guide.

At the end of each exam period, the deliberations and the communication of the results take place.

In exceptional individual cases, the chair of the examination board may keep an exam period open. This is possible until the 30th of September for the third exam period.

The programme manager may allow a student to take his second exam attempt in the second exam period for course units for which he did not obtain a credit during the first exam period and which he must resume or wishes to retake. The student can request this permission if he meets all of the following conditions:

- he can graduate after the second exam period;
- he participated in all exams in the first exam period or he was legally absent;
- he resumes all examinations in the second exam period or, if necessary, tolerates them.

The student requests this in writing from the programme manager before the third Wednesday of the second semester.

Art. 32. Location of the exam

All examinations are held in a Thomas More room, except for specific teaching methods or in case of force majeure, determined by the chair of the examination committee.

Art. 33. Exam planning

The planning of examinations on (parts of) course units is announced either before the start of the academic year, or at least 5 weeks before these examinations.

A student who only enrolls for course units from one programme stage is guaranteed an exam planning without overlaps.

Examiners and students adhere strictly to the recorded examination schedule. Exams can only be moved by the programme manager and only for a very serious reason.

Art. 34. Special exam planning for individual students

On the basis of individual exam measures for a student, the exam schedule for that student can be adjusted (Art. 81.).

If a student cannot comply with the planned exam schedule for a very serious reason, he reports this to the ombudsperson. If this is for religious reasons, his absence is legitimate on public holidays of his officially recognized religion. The Flemish government determines these holidays.

On the advice of the ombudsperson, the programme manager draws up a different exam schedule for the student.

Art. 35. Special arrangement for 'graduating students'

A student who follows courses scheduled in the second semester, but who wishes to graduate after the first exam period, submits a written request to the programme manager before the third Wednesday of the first semester.

In case of a positive decision, the student may take the examinations on course units that have been scheduled in the second semester or that are spread over the academic year in the first exam period. If, after this decision, he does not take an exam in the first exam period, this constitutes a lost exam attempt.

Art. 36. Examinations on course units for combined registrations

If a student is enrolled in several contracts for an identical course unit in the same academic year, then the student only takes one exam per exam period. The obtained mark is the exam result for the various contracts.

2.2 Participation in the exams

Art. 37. Identification

The student must be able to prove his identity at the exam.

Art. 38. Absence during examinations and catch-up exams

§1. A student who does not participate in an exam can catch up the missed exam, provided that:

- the student notifies the ombudsperson before the start of the exam, unless this is impossible due to force majeure;
- the student provides the ombudsperson the documents that legitimize his or her absence within two calendar days following the exam day;
- the ombudsperson judges that the absence is sufficiently legitimate;
- this is organisationally feasible.

In case of fraud with absence certificates, the procedure and the penalties for exam fraud apply.

§2. The programme manager decides on the organizational feasibility and the time of the catch-up exam. A student can never take more than one exam attempt per exam period.

§3. If a student is unjustifiably absent from a catch-up exam, he is no longer entitled to catch up examinations for the next exam periods of the current academic year.

2.3 Exams taken in another study programme or institution

Art. 39. Time and place of exams

If a student takes course units in another study programme or at another home or foreign institution for higher education, that study programme or institution determines the time, place and conditions of the examination for these course units.

Art. 40. Deliberation

If necessary, the result of an examination taken at another institute for higher education is converted under the supervision of the select examination committee in accordance with the ECTS guidelines. The student is informed about the conversion rules before his departure.

Art. 41. Replacement by an equivalent course unit

The chairman of the examination board can grant an outgoing exchange student who did not obtain a credit certificate for a course unit within the framework of his international programme, to take an exam at Thomas More for an equivalent course unit in a subsequent exam period of the same academic year. To this end, the chair of the examination committee chooses from the course units that the student exchanged in the context of his international programme.

2.4 Administration of the exams

Art. 42. The examiner

Each exam or part of an exam is supervised by the coordinator and/or the lecturers of the course unit.

The programme manager will appoint the examiner:

- force majeure;
- in case of blood or family ties up to and including the fourth degree between a student and an examiner.

If a course unit has several lecturers and a student is assessed by only one or a few of them, the exam schedule states which lecturers will examine which students.

Art. 43. Examination form

The programme guide lists the exam form(s) for each exam period. The programme manager can determine that an exam can take place under another exam form:

- at a catch-up exam;
- with a rescheduled exam;
- on the basis of individual exam measures for a student. (Art. 81.);
- if the examiner is absent from an oral exam for reasons of force majeure;

Art. 44. General rules for exams

The student may only use materials, aids and electronic devices at the exam that are mentioned in the programme guide. He may not carry any devices with which communication or storage of data is possible.

Students who have received their exam questions may not leave the examination room during their exam, unless under the supervision of a staff member.

The student registers his attendance at the exam before leaving the examination room.

The student may not take or send examination assignments and answers from the examination room.

Violations are sanctioned as exam fraud.

Art. 45. Oral exams

§1. An examiner may, in consultation with the chairman of the examination committee, ask a member of the teaching staff to attend an exam.

§2. A student who wishes to do so may allow an observer to attend an oral exam.

This observer is:

- not registered for the same course unit;
- not related up to the fourth degree.

The observer may only take notes.

The student informs the chair of the examination committee at least five calendar days before the exam. He will inform the examiner concerned in good time.

Art. 46. Written examinations

A written exam may take a half a day at the most.

The student may leave the examination room only 30 minutes after the start of the exam.

A student who is more than 30 minutes late no longer receives the exam questions and is considered absent.

Art. 47. Evaluation

§1. For each course unit only one exam result is presented at the deliberation.

An exam will be

- either assessed on twenty points.
The final mark for a course unit is only expressed in whole numbers. For roundings the normal rounding rules for decimals apply (from ,5 the mark is rounded up).
- or assessed in the form of a pass/fail decision.
An assessment in the form of a fail is equated with a non-tolerable insufficient (see Art. 66.).

§2. If an exam of a course unit consists of various evaluation activities, the total score is calculated on the basis of a weighted average unless a different rule is stated in the programme guide and justified on the basis of learning objectives to be assessed separately.

§3. If a student does not participate in an evaluation activity, the result "Not Taken" (NA) is taken into account as a 0-score for the evaluation activity.

2.5 The deliberation of the examination committee

Art. 48. Composition of the examination boards

The programme manager is the chairman of the examination committee. The chairman of the examination committee appoints the secretary and the members of the examination committee before the start of the academic year. These members are all examiners in the programme.

The examination board consists of at least six members, except in programmes where all examiners taken together, including the chairman and the secretary of the committee, do not reach that number.

The chairman and the secretary of the examination committee form the select examination committee of a study programme.

The ombudsperson takes part in all meetings of the (select) examination committee with an advisory vote.

The select examination committee prepares the deliberation by the board of examiners as a whole. The select board of examiners can record the results of outgoing exchange students for whom the results reach Thomas More late.

The exam committee submits the exam results and the measures of study progress after each exam period and determine whether a student has passed a study programme and with what degree of merit.

Art. 49. The student informs the board of examiners

If special, objective circumstances influence the student's study performance, the student informs the ombudsperson or the chairperson of the board of examiners. To this end, the student himself/herself takes the initiative for the deliberation of the examination board. If the student does not share this information beforehand, he cannot invoke it afterwards.

Art. 50. Number of deliberations

A deliberation takes place at the end of each exam period. The chair of the examination committee may decide to organize more than one deliberation per exam period.

Art. 51. Deliberation on a continuing programme

An examination committee can only deliberate with regard to the passing and the degree of merit of a student who has enrolled for a continuing programme, after he has passed the previous programme.

Art. 52. Presence

All members of the (select) examination committee and the ombudsperson participate in the deliberation. The examination board's decisions are valid when at least half of the members are present. A member who is lawfully prevented will

inform the chairman of the examination board as soon as possible.
The students who are being deliberated about can be reached by telephone during the deliberation.

Art. 53. Confidentiality

The members of the examination committee and all persons present are obliged to maintain confidentiality regarding the deliberation and the voting.

Art. 54. Those entitled to vote

All members of the examination committee have a vote.

A member of the board of examiners does not take part in the deliberation about a student or group of students if:

- decisions are made about relatives by blood and by marriage up to and including the fourth degree;
- it is suggested that a mark assigned by him is manifestly unreasonable.

Art. 55. Consultation of non-members by the board of examiners

Any examiner who is not a member of the examination committee can be heard at his request. This happens in any case before an examining board makes a decision regarding:

- exam fraud;
- apparently unreasonable exam results.

Each student can submit a request to the chairman of the examination board to be heard by a (select) examination board who will make a decision about him.

Art. 56. Decision and voting rules

A decision about a student is determined by a board of examiners by a simple majority.

Upon the proposal of the chairman, or when a member of the committee or the ombudsperson requests it, a vote on a decision will be made secret. Invalid votes and abstentions are not taken into account. In the event of a tie, the proposal most favourable to the student is the decision of the committee.

Art. 57. Adjustment of exam results by the examination committee

If the select examination committee believes that an exam result needs to be adjusted, it will submit this to the complete examination committee. The latter then decides whether the grade or opinion proposed by the examiner is manifestly unreasonable and can adjust the examiner's proposal.

Art. 58. Weighting and percentage calculation

§1. The percentage calculation takes place on the totality of the actually taken credits of the programme.

Course units that are assessed according to the pass/fail model do not count in the calculation of the percentage.

§2. To determine an achieved percentage, the points that the student achieves for each course unit are weighted according to the number of study points that are linked to it.

Art. 59. Criteria for passing a bachelor's programme

A student passes a bachelor's programme if he has taken all the examinations that are part of the study programme, and if all examinations have led to a credit certificate, or fulfil the following three conditions:

- he obtains at least 50% as a weighted percentage for the programme as a whole;
- he achieves a maximum of 10% tolerable fail marks;
- he has no non-tolerable fails.

The calculation of the number of tolerable fail marks to which the student is entitled is based on the totality of the credits actually taken up, with the exception of the credits that the student takes in addition to the number of credits of the model route for the programme.

For the calculation of the tolerances, see also Art. 66.

The board of examiners can exceptionally decide to declare a student passed if he has achieved the predefined learning outcomes for the entire programme, even if he does not meet the criteria to pass the programme mentioned above.

The board of examiners can exceptionally decide to declare a student passed if he has achieved the predefined learning outcomes for the entire programme, even if he does not meet the criteria to pass the programme mentioned above. If the student wishes to invoke this exception, he must demonstrate that there are special circumstances and that he has achieved the objectives globally.

Art. 60. Criteria for passing a postgraduate course

A student passes a postgraduate programme if he has passed all course units.

Art. 61. Criteria for obtaining a degree of merit

The following degree of merit is awarded to a student who obtains a Bachelor's degree:

- passed, if he achieves less than 68%;
- distinction, if he achieves at least 68%;
- great distinction, if he achieves at least 77%;

- greatest distinction, if he achieves at least 85%;
- greatest distinction with the congratulations of the examination committee, if he achieves at least 90%.

The calculation of the percentage is based on the whole of the course programme.

The board of examiners may decide to award a degree of merit to a student who does not meet the criteria.

No degree of merit is awarded:

- for a postgraduate degree;
- to a student whose actual study programme is less than 20 credits.

2.6 Resitting exams and applying tolerances

Art. 62. Number of exam attempts

For each academic year, a student is entitled to two exam attempts for each course unit for which he is enrolled in order to obtain a credit, with one attempt in the first or second exam period and an extra attempt in the third exam period.

There are some exceptions.

- A non-resit or not taken exam is considered as a taken exam attempt.
- The programme guide lists the course units on which the student can only be examined once per academic year on the basis of the nature of the component.
- The student cannot resit course units for which he applied tolerance.
- A student who registers after the exam has been taken will lose the exam attempt in question.

Art. 63. Retention of the highest exam result for a course unit

A student who resumes an exam on a course unit cannot achieve a lower result than the previously obtained result. This applies to a resit of an exam within one academic year and for a resit of an exam in a subsequent academic year.

Art. 64. Transfer of partial results

A result of at least 10 or a "passed" evaluation for a separately assessed educational activity is transferred to a subsequent exam period in the same academic year.

A result of at least 10 or a "passed" evaluation for a separately assessed educational activity is transferred to a subsequent academic year if the course unit concerned

- consists of 2 individually assessed educational activities and
- a maximum of 5 credits.

In a partial transfer, the transferred partial mark is settled in the new final mark for the course unit. The student only resumes the evaluation activity(s) for which no transfer of the result took place.

If a student wishes to renounce the transfer of partial results, he will inform the chairman of the examination board in writing no later than 15 calendar days after the announcement of the exam result.

Art. 65. Transfer of (partial) results within an academic year when there is no second exam attempt

If there is no second exam attempt for a (part of a) course unit, the exam result is transferred from the first exam attempt to the next exam period.

Art. 66. Tolerance: general principle

§1. A student can only apply tolerances for course units of a bachelor's programme. These tolerances are limited to 10% of the total number of actual credits to be taken in the diploma contract or diploma-exam contract; with a maximum of 18 credits.

Students who have acquired less than 60 credits from one programme (including any exemptions) may apply a maximum of 12 credits to tolerable fail marks.

Grades of 8 or 9 out of 20 are tolerable. All other insufficient marks are non-tolerable.

The programme guide mentions

- for which courses an insufficient mark is always non-tolerable;
- in which groups of course units only a limited volume of tolerable fails may occur. This volume of tolerable fail marks is expressed in credits.

Art. 67. Tolerances used by the student

A student can only apply tolerances if he has achieved a study efficiency of at least 60%.

A student who has not yet obtained the diploma can decide to apply tolerances after the second and third exam period. He can also make this decision after the first exam period, if his individual annual programme does not contain courses from the second semester.

The student indicates in his tolerance file for which course units he wishes to retain a tolerable fail mark and saves this selection definitively. He has 15 calendar days for this, calculated from the day after the results were published in his KULoket.

If, after the third exam period, the student only saves tolerances for the time being, they become definitive after the end of the 15 calendar days.

If the student does not make a choice to apply tolerances within the set term, it is assumed that he resumes the (examinations for the) course units.

The decision to retain a tolerable fail cannot be revoked. Exceptionally, after a motivated request and the admission of the chairman of the examination board, a student can still waive a tolerance at the end of his/her study. He must then re-enrol for the course unit in question and take an exam on it, based on the subject matter of the academic year for which he enrolls.

Art. 68. Tolerances used by the examination committee

The board of examiners always applies tolerances for a student if

- these tolerances are possible in accordance with the general principles set out in Art. 66. and
- the student thereby obtains his Bachelor's degree.

A student who disagrees with a decision made by the examination board to apply tolerances communicates this to the chairman of the examination board no later than 15 calendar days after the announcement of the exam result. If the student makes use of this option, the general result for the programme (pass/fail and any degree of merit) will be undone for the time being. The student resumes the course unit.

2.7 Exam fraud

Art. 69. What is exam fraud?

Any behaviour by a student in the context of an examination that makes or tries to make it impossible to reach a correct judgment in whole or in part about the knowledge, insight and/or skills of the student or of other students, is considered exam fraud.

Plagiarism is a form of exam fraud that consists of every identical or slightly altered copy of the work (ideas, texts, structures, images, plans, ...) of others without an adequate reference to the source.

Art. 70. Procedure

Every staff member who suspects exam fraud takes the following steps:

- He takes the exam copy and/or other supporting documents.
- The student is allowed to complete the exam. In written examinations he receives a new exam copy, in which he can answer the remaining questions.
- The staff member informs the chairman of the examination committee as soon as possible.

The chairman of the examination committee convenes the select examination committee as soon as possible.

The select board of examiners takes the following steps:

- It hears the student. The ombudsperson is present.

- It hears the examiner and the staff member who reported the suspected exam fraud.
- If it concerns a possible case of plagiarism, it will investigate whether plagiarism has been committed, possibly in consultation with a designated expert. It also investigates the seriousness of the violation.
- If it judges that fraud has been committed, it convenes the board of examiners within four weeks.

The board of examiners will record a possible sanction.

The chairman of the exam committee communicates and motivates the sanction in writing to the student.

In anticipation of a decision by the select examination committee and the examination committee, the student may continue to complete the examination series.

Art. 71. Sanctions

§1. In the case of exam fraud, the seriousness of the offense and the sanction will be assessed on the basis of the following elements:

- the extent of exam fraud;
- the nature of exam fraud;
- the intention to deceive.

§2. Based on the established examination fraud, an examination committee can decide the following:

- The student completed the exam in an invalid manner and has to take it again. The examination committee determines the time and the exam form.
- The student receives an adjusted mark for the exam or the paper.
- The student receives a zero for the exam or the paper of the course unit or part of it.
- The student receives 0/20 for some or all examinations of the relevant exam period.
- The student is rejected for a course unit: he receives 0/20 for the course unit in question for that exam period and can take an exam for that course unit again in the next academic year at the earliest.
- The student is rejected for a study programme: he can register again for the next academic year at the earliest. He loses all exam results achieved in the relevant exam period and may be required to take another subject and/or supervisor for the bachelor's thesis.
- The student loses the right to enrol for the next academic year or the next two academic years. This sanction applies to all courses at Thomas More and can only be pronounced in combination with a rejection for a course programme.

The examination board can also decide that the rule of retention of the highest exam result will lapse.

Students can appeal against decisions regarding exam fraud as stipulated in Art. 95.

2.8 Communication and discussion of the exam results

Art. 72. Communication of decisions of the examination board

The chairman of the examination committee determines the time when - after each exam period - the exam results and the decisions of the examination committee are reported to the students in writing.

Art. 73. Right to feedback

The student is given the opportunity to receive feedback during the first seven calendar days after the date of publication of the results. This feedback is organized in the form of an inspection of his written exam and/or an individual and/or collective debrief of the exam. The feedback and debriefing scheme will be published at least one week before the announcement of the results.

The student can be accompanied by a person of his/her choice.

The student who wishes to receive a copy of an exam or deliberation report follows the procedure of this Art. 79. Apart from this possibility, it is forbidden to make a reproduction/copy of the above-mentioned documents by means of any device (e.g. photo via smartphone, ...).

2.9 Material errors

Art. 74. Material errors detected after a deliberation

§1. Material mistakes can always be corrected in favour of the student. Material errors can only be rectified to the detriment of the student within seven calendar days after the communication of the results, except in case of a violation of the legal conditions or fraud by the student.

Procedure

- The student or lecturer who determines the material error, formally informs the chairman of the examination board.
- An error that does not affect the success of the programme nor the degree of merit is corrected by the select examination committee.

If the error that has been made can affect the success of the degree programme or the degree of merit, the chairperson convenes the board of examiners within five days following the notification of the error.

3 General arrangements

3.1 The ombuds service

Art. 75. Tasks and function of the ombuds

The ombudsperson mediates between students and between students and staff of the university of applied sciences.

In addition, the ombudsperson monitors the student's rights and can inform students about their rights and duties in the university of applied sciences.

The ombuds can

- investigate all complaints and disputes of students;
- investigate irregularities that threaten the rights of students.

The ombudsperson decides as an independent confidential advisor whether the reason for an absence during an exam is sufficiently well-founded to organize a catch-up exam.

The ombudsperson informs the students where and when he is available.

Art. 76. Mediation in case of problems related to the educational and evaluation activities

A student can use the mediation of the ombudsperson regarding any decision or problem in connection with his educational and evaluation activities. The ombudsperson examines the problem and mediates between the parties involved. The student remains anonymous for as long as necessary for the proper conduct of the mediation.

If the mediation does not lead to a result that satisfies all parties, the ombudsperson will contact the supervisor of the staff member concerned. He then takes the appropriate measures.

The ombudsperson informs the student about the possibilities of the internal and external appeal. In mediation, he takes into account the deadline to establish the appeal procedure.

Art. 77. Rights and obligations of the ombudsperson

The ombudsperson always has the right to attend an exam and the right to information concerning each exam.

The ombudsperson has the duty and the right to treat discreetly all information he obtains while performing his duties.

Art. 78. Appointment

The ombudsperson is appointed by the programme manager before the start of the academic year.

3.2 Rights and duties of the student

Art. 79. Public information

Each student can view the documents that form the basis for decisions taken with regard to him. He has no right to access data relating to other students.

To this end, the student can submit an application to the programme manager. Within 20 working days after the application, the student is given access to the documents concerned. This period is suspended during the closing period of the university of applied sciences. Copies of documents are only granted with the unrecognizability of all data that does not relate to the student. Thomas More requires a fee of 1 euro administrative cost per copied page.

Because of the investment in validated exam questions, the student cannot receive a copy of exam questions in the form of multiple choice. The student can obviously view the exam questions.

Art. 80. Storage period of documents

Documents relating to decisions regarding a student are kept until 1 December of the following academic year.

Art. 81. Reasonable adjustments

Individual education and examination measures guarantee equal opportunities for students. Thanks to these reasonable adjustments, every student can participate fully in the educational and examination activities of the university of applied sciences.

A student can request individual education and examination measures if he:

- a) has a functional impairment;
- b) speaks another language;
- c) a professional athlete or a (semi)professional cultural practitioner;
- d) employed for at least half of the work considered as full-time in the sector and insofar as this student is not enrolled in a trajectory for working students;
- e) is a recognized student entrepreneur;
- f) is elected as a member of the Stuernte Council or holds a mandate in an administrative or representative body of the university of applied sciences.

Working students and student representatives request these individual measures from the programme manager. Students from the other groups use the

registration form on the Thomas More website:

<https://www.thomasmore.be/en/students-special-needs>

The programme manager decides on the allocation of the reasonable adjustments on the basis of three criteria:

- the necessity in the context of equal opportunities for the student;
- the feasibility or workload for Thomas More;
- the essential learning outcomes of the course programme.

Reasonable adjustments can only be guaranteed if they are requested four weeks before they are applied.

Decisions about assigning reasonable adjustments can be appealed to by a student as stipulated in Art. 95. .

Art. 82. Specific rights and duties

§1. The official communication between Thomas More and a student takes place via the university of applied sciences e-mail address, via the electronic learning environment or via the KULoket. The student is expected to check his e-mails on the university of applied sciences email address every day. The student cannot rely on the non-reading of e-mails and announcements to avoid duties/changes.

§2. A student is not entitled to sound or image recordings of the educational activities and evaluations, unless one of the following conditions is met:

- a specific agreement has been made about this with the lecturer of the course unit;
- this is a reasonable adjustment for the student, granted by the programme manager.

§2. The recording can only be used for didactic purposes, for the student or for the student group of the current academic year. Commercial use is excluded. A student who uses the material without taking into account these stipulations will be subject to the sanctions of the disciplinary regulations. A student cannot oppose recordings of educational activities that the teacher uses for simultaneous broadcasting and/or publishing on learning platforms. He can ask not to be shown personally.

§3. A student may in no case reproduce study material that was made available to him by Thomas More, unless the lecturer gave permission for this. This also applies to exam copies made available to him following the right of inspection. A student who uses the material in this sense is subject to the sanctions of the disciplinary regulations. The student is also exposed to prosecution for violations of copyright laws.

§4. Persons who falsely print Thomas More documents will be prosecuted. If it concerns a Thomas More student, the disciplinary regulations will also be applied.

Art. 83. Intellectual rights: general principles

This provision governs the rights with regard to literary works and works of art, drawings, and models, etc. that students create as part of a study programme at the university of applied sciences.

These regulations are without prejudice to the general principles of copyright and the rights of drawings and models as laid down in the applicable European and Belgian laws.

The author retains his full moral rights (paternity right, decision to disclose and right to integrity) and property rights with respect to the literary works or works of art, subject to the prerogatives and user rights that these regulations provide for the benefit of the university of applied sciences.

Art. 84. Copyright with regard to the bachelor's thesis

The student submits the bachelor's thesis via electronic learning environment in order to archive this. He grants the university of applied sciences free of charge the unconditional permission to include the complete text and the accompanying illustrations and appendices of the bachelor's thesis in the university's final works archive, and to make this database accessible to potential interested parties via the internet. The student also grants permission to the university of applied sciences free admission to the bachelor's thesis and the accompanying information for derived products, such as CD-ROMs, DVDs or prints of the complete or partial thesis. In the event that third parties claim a part of the text or the entire text of the bachelor's thesis or the illustrations used in the bachelor's thesis, the student will indemnify the university of applied sciences for this. This permission applies to the entire duration of the bachelor's thesis. The student must apply for an embargo: if the bachelor's thesis contains confidential information or if the internship company concerned wishes confidentiality.

Art. 85. Literary works and works of art, drawings and models

Thomas More receives a free user right for the duration of the intellectual rights to the work of the student for educational objectives, among which the use of the work in the context of exhibitions, shows, concerts, performances and communication about the university and the study programmes in as far as the intellectual rights have been created as part of the student's study programme.

If the student discloses work that came about during and in the context of his study at Thomas More, to third parties during an exhibition, concert, performance or in another form of presentation, then the student will always refer to Thomas More and mention the relevant training.

3.3 Disciplinary regulations

Art. 86. General

If a student registers at the university of applied sciences, then he implicitly promises to comply with the regulations and agreements. The university of applied sciences expects the student to behave in a dignified, courteous and respectful manner, both inside and outside the university, towards fellow students, staff and all people at the internship.

A student has the duty to use the property and movable property of Thomas More 'as a prudentman'.

A student also has the duty to follow the instructions regarding safety and the accompanying urgent measures.

Every staff member of the university of applied sciences supervises disciplinary enforcement. If a student does not follow the above rules or the code of conduct, then the university can take disciplinary measures or punish them according to the provisions of this disciplinary regulation.

Art. 87. Urgent measures

The managers of Thomas More have the authority to take all necessary measures in all circumstances and with immediate effect to safeguard the order and safety of the university of applied sciences. This may include a student being temporarily denied access to certain rooms or the use of certain facilities.

Art. 88. Disciplinary commission

The university of applied sciences board delegates the handling of disciplinary problems to the disciplinary committee.

The disciplinary committee consists of five members:

- the director of student affairs (chairman);
- the head of the legal service of Thomas More;
- the programme manager;
- a lecturer of the relevant study programme;
- a member of the student council.

The ombudsperson is an acting member.

The disciplinary committee is convened on the initiative of the programme manager or the chairman of the disciplinary committee. The disciplinary committee will make a decision within 20 days after the notification.

Art. 89. Rights of the student

The student against whom a disciplinary sanction is considered, is entitled to:

- the announcement by the chairman of the disciplinary committee of the nature of the measure envisaged against him and the grounds on which it is based;
- access to the complete file;
- 5 days to prepare and present an oral and written defence.

He can be assisted by a person of his choice at any stage of the procedure.

Art. 90. Sanctions

The sanctions are:

- a) the warning: this sanction can only be imposed once for a similar fact. A subsequent sanction will automatically be more severe;
- b) the denial of the right to be present at one or more educational contact moments;
- c) the provisional suspension and/or temporary suspension;
- d) the refusal of participation in examinations;
- e) the refusal to register;
- f) the definitive exclusion.

The chairman of the disciplinary committee will communicate the sanction and the reasons for it in writing.

Art. 91. Appeal against a decision of the disciplinary committee

The student can submit a motivated appeal to the director of education by e-mail within seven calendar days following the notification of a sanction. The deadline starts to run the day after the announcement.

The internal appeal procedure leads to:

- the justified rejection of the appeal on the grounds of inadmissibility or unfoundedness. This decision will be communicated to the student in writing within a period of twenty calendar days starting on the day after the day on which the appeal is lodged;
- a new decision. The new decision must be taken within a period of twenty calendar days, starting on the day after the day on which the appeal is lodged and will also be communicated to the student within this period.

3.4 Code of conduct with regard to the language regulations

Art. 92. Programme language

The language of instruction at Thomas More is Dutch. If programmes or (parts of) course units are organized in a different language, this is explicitly stated in the programme guide.

Art. 93. Other-language courses

Within the decree-specific rules, the university of applied sciences can (partially) organize courses in a language of instruction other than Dutch.

The university of applied sciences ensures that its range of Dutch-language and non-native language courses and language support measures is accessible and responds to demand.

If the student takes a course in another language, and the university does not organize an equivalent in Dutch, then he may take the exam in Dutch. Except if:

- he follows the course at another institution;
- the course deals with the other language
- the student follows a non-Dutch language course.

If the student wishes to take the exam in Dutch, then he will ask the programme manager in writing - at the latest on the 3rd Wednesday of the semester or when enrolling for the course unit.

Only in a post-bachelor and postgraduate programme can the programme manager refuse this request.

Art. 94. Study material in other languages

For Dutch-language courses, foreign-language study material may be used on condition that the non-native material offers a scientific or pedagogical added value or is of a higher quality than the available Dutch-language material.

3.5 Internal appeals procedure

Art. 95. Appeal against decisions taken with regard to a student

§1. A student who judges that a decision taken violates his rights can lodge an internal appeal.

§2. The student must initiate the internal appeal procedure within a period of seven calendar days starting on the day after the written notification of the decision.

§3. The student addresses his request by e-mail to the director of student affairs. In the subject line the student notes 'Internal appeal procedure for course programme X'. In the mail itself, he states his personal details, his study programme and any specialization, and his programme stage. He also clearly describes the facts (possibly the course unit and the name of the lecturers) and his objections to the decision.

The appeals committee consists of:

- the regional director or his representative;
- the director of student affairs of Thomas More;
- the head of the legal service of Thomas More;

The appeals body hears the student at his request and asks for information from all parties involved.

The internal appeal procedure leads to:

- the justified rejection of the appeal on the grounds of inadmissibility or unfoundedness.

- a new decision by the appeal instance.

The student receives a new decision or a notice of rejection within a period of twenty calendar days, starting on the day after the day on which the internal appeal has been lodged. This decision will be communicated to the student by e-mail. For this purpose, the e-mail address given by the student when submitting the appeal is used.

The internal appeals body can inform the student in a reasoned manner within the term it has available that it will make a decision at a later date. In that case, the period for external appeal only starts the day after that date.

After exhausting this internal appeal, the student can further appeal to the Council for disputes concerning study progress decisions, in accordance with the provisions of the Codex Higher Education, codified on 11 October 2013.

4 DEFINITIONS

For the application of the education and examination regulations, unless explicitly stated otherwise in the further regulations, the following definitions apply:

continuing programmes: courses that, according to the admission requirements in the programme guide, can directly follow each other without special admission conditions;

exam: each evaluation of the extent to which a student has acquired the competences associated with a course unit on the basis of his study. An exam can consist of several **evaluation activities (EVA)**;

disability: a permanent or long-term function loss that is recognized according to the registration procedure used by Thomas More;

learning account: credit granted by the Flemish Community to a student, expressed in credits, can be used to follow one or more programmes or courses. See for this <https://onderwijs.vlaanderen.be/nl/leerkrediet>.

technical error:

- any composition of an individual year or study programme that does not meet the legal or regulatory requirements;
- every material act by which a wrong exam grade is passed as a result for the student;

educational activity (OLA): further subdivision of a course unit in terms of a specific coherent set of educational and learning activities, and linked to this with a number of credits; a **separately assessed educational activity** is an educational activity for which a separate mark is given when the exam results are communicated *or* for which separate evaluation activities are described in the programme guide.

programme manager: the manager who is responsible for the organization of a specific study programme;

course unit (OPO): a delimited set of educational, learning and examination activities; each course unit contains at least one educational activity;

written notification: unambiguous communication of a request (writing), intention or decision in a way other than verbal (by letter, e-mail, fax, electronic learning platform, KULoket ...);

study efficiency: the ratio between the number of acquired and the number of actually taken credits in an academic year within the same study programme at Thomas More, expressed as a percentage. For the calculation of study efficiency, exemptions are not taken into account;

credit (study point): a unit that expresses the size of each course or course unit. A distinction is made between:

- taken credits: the credits for which you register, including those for which you are granted an exemption;
- actually taken credits: the credits for which you enrol excluding the one(s) for which you obtain an exemption;
- obtained credits: the credits for which a credit certificate has been acquired;

study progress file: the (electronic) document that provides an overview of the state of affairs regarding the study progress of an individual student at every moment of the study;

Thomas More: 'Thomas More' includes Thomas More Mechelen-Antwerp vzw and Thomas More Kempen vzw;

tolerance: the choice made by a student or the board of examiners to maintain a tolerable result. Applying a tolerance implies that the tolerable result is maintained and that the student no longer takes an exam within the diploma contract;

continuing programme: the study programme(s) that are regarded as the most logical continuing programme(s);

sequentiality: the order in which a student may enrol for course units in function of having successfully completed one or more other course units. Four possible forms of sequentiality are distinguished:

- strict sequentiality: the student must have obtained the credit certificate or have applied at least a tolerance to be allowed to follow a continuing course unit;
- flexible sequentiality: the student must have followed the course unit in the past, without necessarily having obtained the credit certificate;
- simultaneity: the student must have previously taken the course unit or take it at the same time;
- diploma attendance: the student must have obtained the diploma or certificate of previous education prior to the programme in which the course unit is situated;

exemption: the cancellation of the obligation to take an exam on a course unit or a separately assessed educational activity on the basis of a credit certificate, study certificate or certificate of proficiency