

Strengthening Programme Committees

Advisory report from the Programme Group for the Strengthening of Programme Committees
11 July 2017



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Contents

Introduction	3
Advice to the Executive Board	4
Vision for the Programme Committee and its environment	5
1. The role of the Programme Committee.....	6
2. Relationship between the Programme Committee and the degree programme(s)	7
3. The composition of the Programme Committee	8
4. The relationship of the Programme Committee to other bodies within the faculty.....	11
5. Processes.....	12
6. English term for the Programme Committee	15
Appendices to the Advisory Report on Strengthening Programme Committees.....	16
Appendix 1: Allocation of rights of consent.....	17
Appendix 2: Disputes procedures	26
Appendix 3: Compensation.....	28
Appendix 4: Composition procedure	32
Appendix 5: Composition and remit of the Programme Group	38
Appendix 6: Composition of the focus group	40
Appendix 7: Change in the law	42
Appendix 8: Memorandum of Understanding (FGw)	45

Introduction

The Programme Committees (Programme Committees) play an important role at the University of Amsterdam (UvA). The enthusiastic efforts undertaken by students and lecturers who are actively engaged in Programme Committee activities contribute to maintaining high-quality education. The interaction between the members and other parties involved in the degree programme brings current insights and fosters ties between staff and student bodies.

The Programme Committee advises programme directors on the organisation of the education provided by the degree programmes. To that end, the Programme Committee focuses attention on course and degree programme evaluations, among other things, and provides advice on proposed amendments to the Teaching and Examination Regulations and on policy papers concerning the improvement of education. If desired for the performance of their tasks, Programme Committees may also offer unsolicited advice.

A strong and engaged Programme Committee provides valuable input to a degree programme and contributes to improving the quality of education. The UvA seeks Programme Committees that make a constructive, critical and thoughtful contribution to the quality of education. This implies active members, who are representative of their degree programme and are well-equipped for their tasks. Their efforts help ensure that the University of Amsterdam functions more effectively, that students can successfully complete their degree programme and that lecturers are proud of their degree programme.

Upon the entry into force of the amendments to the Higher Education and Research Act (WHW) on 1 September 2017, pursuant to the Enhanced Governance Powers (Educational Institutions) Act, the Programme Committee will become a representative advisory body. The amendments have prompted a review of the tasks and powers of the Programme Committees. How can the Programme Committees perform their tasks and exercise their powers in a way that will further enhance the quality of education at the UvA? How can Programme Committees, programme directors, Faculty Student Councils and other parties involved in the organisation of degree programmes work together in a constructive manner?

To foster and monitor the development of Programme Committees, the Rector Magnificus established the Programme Group for the Strengthening of Programme Committees. The composition and remit of the Programme Group are included in Appendix 5.

The Programme Group has received feedback on sections of this advisory report from the focus group, in which Programme Committee members, members of the Faculty Student Councils, programme directors and quality insurance staff from the faculties are represented. At the Rector's

request, a recommendation (on how to deal with overlapping rights of consent) and an earlier version of this advisory report were submitted to the Central Executive Council (CBO). An earlier version of this advisory report was submitted to the wider academic community via the *denkmeem.uva.nl* web page. The draft advisory report and the appendices were also discussed during an information session for Programme Committee members, programme directors, members of the Faculty Student Councils, the Works Councils and other stakeholders. The University Committee on Education (UCO) discussed the final draft version of this advisory report on 6 July 2017. The comments submitted have been incorporated into this final version.

Advice to the Executive Board

- Ask the Programme Committees to prepare an annual plan before the new academic year commences, based partly on the basic principles formulated in this document and to discuss it, in any event with the programme director.
- Ask the deans to define the role of the Programme Committee clearly and appropriately as well as the structure, environment, procedure for determining the composition of and the processes relating to the Programme Committee. The basic principles formulated in the advisory report of the Programme Group constitute the reference point. Deans may derogate from aspects of the report stating reasons, provided this does not affect the positioning of the Programme Committee.
- We strongly recommend determining the composition of the Programme Committee on the basis of a selection procedure in view of the limited time available to organise elections properly. Based on the subsidiarity principle, the decision on whether to hold elections should be left to the faculties in the future.
- Ask the deans to state in what manner they facilitate the Programme Committees. The relevant section in the Examinations Board Guide serves as the reference point in this regard.
- Ask the deans to prepare the Teaching and Examinations Regulations process, taking account of any overlapping rights of consent and rights to be consulted of the Programme Committee, the Faculty Student Council and the Works Council. The deans may seek non-binding agreements with the faculty community on applying overlapping rights (see Appendices 1 and 8).
- Ask the deans to determine an appropriate number of compensable hours for lecturers and to reach agreement on a university standard (see Appendix 3).
- Ask the deans to evaluate the composition of the Programme Committees before 1 January so that a decision can be taken at an early stage on continuation or adjustment of the procedure for determining the composition of the Programme Committee.
- Decide on changing the name 'Board of Studies' to '*Opleidingscommissie*' in Dutch texts and to 'Programme Committee' in English texts.

Vision for the Programme Committee and its environment

This vision document aims to set out for the academic community what we expect from our Programme Committees at the UvA. The vision broadly outlines what an effective Programme Committee should look like, thereby offering the faculties and the Programme Committees sufficient scope to make their own choices based on this perspective.

The SWOT analysis in box 1 summarises the focuses areas addressed in the vision. The strengths and weaknesses summarise the current situation. The opportunities and threats articulate what the future might bring.

Box 1: SWOT

<p>Strengths</p> <p>Programme Committees that function effectively are a breeding ground for new ideas. Lecturers and students jointly consider any problems as well as new ways of further enhancing education, and safeguarding quality. They put forward creative solutions, galvanise support for educational innovation and point out the advantages and disadvantages of educational innovation proposals to the programme directors in a constructive manner. In addition, they identify best practices and flag current issues before problems escalate.</p>	<p>Weaknesses</p> <p>Some Programme Committees exist because they are mandatory by law. Programme Committee membership feels like an obligation; student members feel that they are not being taken seriously enough, lecturer members are given insufficient time to perform their tasks properly, programme directors hardly use the opportunity to submit their ideas for improving education to the relevant students and lecturers at an early stage. Some Programme Committees focus on details and are therefore assuming the role of the lecturer, or focus on the the individual members' own minor interests.</p>
<p>Opportunities</p> <p>Programme Committees are in the spotlights, partly due to their changed role after 1 September 2017. This offers the opportunity to redefine the Programme Committee to create a body that will give the degree programmes a new impetus, with the quality of education as its number one priority. Programme directors will seek advice from their Programme Committee more often and at an early stage. The facilities for Programme Committees will improve. Programme Committee members will be recruited from a broader group.</p>	<p>Threats</p> <p>Participation in decision-making should not be confused with 'control'. If Programme Committees and programme directors become deadlocked, this will hamper the progress of degree programmes. Programme Committees that focus primarily on maintaining their own degree programme will paralyse the range of programmes offered. Differences of opinion between the Faculty Student Council and the Programme Committee, and among the Programme Committees themselves, impede faculty policy and educational innovation. If the faculty fails to set out the Teaching and Examinations Regulations process properly, contradictory advice may cause the process to stall.</p>

1. The role of the Programme Committee

The Programme Committee is an important body in which students and lecturers at the most local level (an individual or cluster of degree programmes) discuss the education provided by their respective programme(s) and the way in which it is organised. In this context, the Programme Committee provides advice on the design of the curricula, quality assurance and policy-making. It actively contributes to educational innovation and enhancement by taking the initiative to place topics on the agenda. The topics might specifically concern the degree programme(s) for which the Programme Committee has been established. However, the Programme Committee can also advise on cross-degree programme topics such as a uniform procedure for Master's theses or skills curricula for multiple degree programmes within a faculty. As such, issues also fall under the Faculty Student Council's area of responsibility, it would be advisable to agree on the allocation of tasks between the two bodies.

The Programme Committee focuses its viewpoints and advice on the broad frameworks within which education is provided (the exit qualifications, learning tracks, the Vision on Teaching and Learning, assessment policy, quality assurance, etc.) and keeps a critical eye on the manner in which those frameworks are applied by the degree programme. The Programme Committee members are expected to be involved in the degree programme, have an eye for occasionally conflicting interests and to put the interests of a good degree programme above those of their own group.

The ideal Programme Committee actively fulfils a broad role. It offers a platform for discussion where students and lecturers jointly consider the challenges facing the degree programme. The Programme Committee is a representative advisory body that fosters the engagement of other students and lecturers, and is an appropriate body for identifying problems. The Programme Committee continuously seeks to boost the quality of education and puts forward ideas for the enhancement of education. Its immediate discussion partner is the programme director¹, or in the case of cross-degree programme topics, the College/Graduate School director. The Programme Committee performs its role in a responsible manner and puts the interests of the degree programme first. The Programme Committee considers and effectively substantiates the advice it provides, and seeks solutions to differences of opinion together with the other parties involved in the degree programme. The Programme Committee self-evidently respects the response periods applicable to issuing solicited advice.

Box 2: Good practices

- Within the Psychology Programme Committee a lecturer member and a student member team up to work on a specific theme for one year.
- The Literary Studies Programme Committee organises evaluation sessions with students and lecturers. The procedure is recognised as a source of information supplementary to UvA Q.

¹ For Programme Committees with multiple degree programmes, this should also be read as 'programme directors'.

- The teacher-training programmes Programme Committee has initiated working groups and proactively provides input on the policy direction. Clear agreements have been made on this with the programme director.

The Programme Committees already have the right to be consulted on proposed amendments to the Teaching and Examination Regulations. Upon the entry into force of the amendment to the WHW on 1 September 2017, the Programme Committee will have the right of consent on certain programme-specific sections of the Teaching and Examination Regulations. Consequently, the Programme Committee will also become a representative advisory body.

In most cases this concerns the provisions set out in Section B of the Teaching and Examination Regulations, and in some cases the provisions included in Section A of the Teaching and Examination Regulations. In both cases, there is a risk that the Programme Committees may have different views on the same proposed amendments to the Teaching and Examination Regulations. Moreover, there are cases in which both the Programme Committees and the Faculty Student Council will have the right of consent. The following section and Appendix 1 provide possible solutions to conflicts arising from contradictory advice among the Programme Committees themselves, and between Programme Committees and the Faculty Student Council.

2. Relationship between the Programme Committee and the degree programme(s)

In consultation with the Programme Committees, the Faculty Student Council, the Works Council, and the programme, College and Graduate School directors, the dean decides on how many and which Programme Committees a faculty should have. The guiding principle is that one Programme Committee should be established for each degree programme, but that a Programme Committee can cover several related degree programme. Clustering degree programmes under a Programme Committee has both advantages and disadvantages, which are context-dependent.

The advantage of having **separate Programme Committees for each degree programme** might be that the Programme Committee members are more knowledgeable about the degree programme content and will be more competent in performing their tasks as a result. This will also facilitate student and staff engagement in the Programme Committee. However, the disadvantage of an organisation of this nature might be that cross-degree programme aspects will either be given insufficient attention within the Programme Committee, or will be viewed differently by the Programme Committees. Contradictory advice on proposed amendments to the Teaching and Examination Regulations on which the Programme Committees have a right of consent could stall the decision-making process or result in divergent regulations in the Teaching and Examination Regulations for the various degree programmes. One way to overcome these problems is to establish a consultation in which to discuss programme-specific issues. The Faculty of Economics and Business has established a committee for this purpose, while the Faculty of Humanities has opted for a large faculty Programme Committee meeting with the Faculty Board and the College and Graduate

School Directors. The aim of the consultation is to achieve consensus on cross-degree programme topics to preclude Programme Committees from having different opinions on proposed amendments to the Teaching and Examination Regulations, particularly in cases where the Programme Committee has the right of consent. After all, it would be undesirable for significant differences to exist within a single faculty in the way in which education is organised by the degree programmes. Another disadvantage of having several Programme Committees within a single faculty is that this might entail a heavier administrative and financial burden. It is up to the faculty to strike an appropriate balance here.

Clustering degree programmes into a single cross-degree programme Programme Committee might be more efficient, as common issues facing related degree programmes can be discussed within a single Programme Committee as far as possible. However, the disadvantage of clustering might be that the distance between the Programme Committee and the degree programme will become too large and that one or more degree programmes will be under-represented. In this case, the Programme Committee may not have a sufficient support base within the degree programmes and the Programme Committee members may not have sufficient specific knowledge of the degree programmes on which they are deemed to issue advice. The clustering of totally different degree programmes, such as Bachelor's and Master's programmes, can occasionally bring together conflicting perspectives. One way to overcome the disadvantages of clustering is to establish subcommittees in which the course and programme evaluations are discussed.

3. The composition of the Programme Committee

Given that the Programme Committee will be granted the right of consent on programme-specific aspects of the Teaching and Examination Regulations and will consequently acquire the status of a representative advisory body, the law provides that the composition of the Programme Committee should, in principle, be determined by means of elections. However, faculties are offered the option to provide for an alternative procedure for determining the composition of the Programme Committee in the Faculty Regulations. This is subject to the right of consent of the Faculty Student Council and the Works Council.² Whether it is advisable to maintain the alternative formation procedure will be determined each year. A proposal for the alternative procedure for determining the composition of the Programme Committee must be submitted to the Faculty Student Council and the Works Council each year.

Considering the advantages and disadvantages, a transparent and clearly delineated selection procedure would be the preferred option, at least for the next academic year (2017-2018).

The advantages of elections are as follows:

- the composition of Programme Committees will be determined on the basis of a more

² A bill which also grants Programme Committees the right of consent on this point in the Faculty Regulations was submitted to the House of Representatives on 7 June 2017; if the bill is passed, the act will be amended with retroactive effect (see Parliamentary Papers II 2016/17, 34 735, no. 2).

democratic procedure;

- the campaign will raise awareness for the activities of the Programme Committee;
- potential interest in Programme Committee membership can be attracted from a wider group of candidates;
- the legitimacy of the Programme Committee as a representative advisory body will be strengthened as a result.

Besides the advantages, there are also disadvantages. The disadvantages of elections are as follows:

- if the number of candidates falls below expectations, no elections can actually be held and the quality of the composition of the Programme Committee may be compromised, while action can scarcely be taken against non-performing Programme Committee members;
- the Programme Committee will become politicised and polarised, causing members to attempt to secure campaign points while leaving less room for a proper discussion on education and the organisation of education;
- elections are labour and time-intensive and therefore are costly;
- drawing up a list of candidates could pose a considerable organisational challenge. Which degree programme(s) can students vote for and offer their candidacy for Programme Committee membership if they are enrolled in degree programme X but are taking electives offered by degree programme Y? Or, if they enrolled in more degree programmes, but are earning their credits (almost) entirely for degree programme X?

The advantage of a selection procedure (or an alternative procedure for determining the composition of the Programme Committee) is that greater customisation at faculty level is possible, and more particularly that it is easier to find candidates for a Programme Committee membership role.

Deans and the faculty representative advisory body have the scope to assess the advantages and disadvantages in a different manner and to opt for elections. Faculties that opt for this route, must be able to call on adequate support, preferably from the Central Electoral Office. However, it will in fact not be possible to use elections to appoint Programme Committee members who will commence their programme at the beginning of the 2017-2018 academic year, if preparations for elections are not well underway by the time this advisory report is submitted to the Executive Board.³

A separate matter for consideration is the **timing** at which the elections or the alternative procedure for determining the composition of the Programme Committee should take place. To prevent the turnout among students and lecturers from being too low, Programme Committee elections could be held at the same time as the elections for the Faculty Student Council and the Works Council. However, the disadvantage in this case is that all candidates and voters will not yet be present (first-

³ Initially, ACTA had undertaken preparations for elections for the academic year ahead under its own management based, among other things, on the advice of the Central Electoral Office, but ultimately it abandoned the process.

year students pursuing Bachelor's programmes, and students taking Master's programmes who previously studied at another university in the Netherlands or abroad). It may also be confusing to hold simultaneous elections for three different layers (the Central Student Council/Faculty Student Council/Programme Committee, and the Central Works Council, Works Council/Programme Committee) of representative advisory bodies. If elections are held after the start of the new academic year, this may mean that appointments for the Programme Committee in its new composition can only be made later in the year. This problem can partially be resolved by continuing the Programme Committee with its former members until that time, although students may have already graduated by then and may therefore no longer be available. This problem similarly applies if an alternative procedure is chosen and the (newly elected) Faculty Student Council is involved in determining the composition of the Programme Committee.

If the decision is made to adopt a procedure other than elections to determine the composition of the Programme Committee, the dean will appoint new Programme Committee members each year in accordance with the procedure adopted within the relevant faculty. The Programme Committee is made up of an equal number of students and lecturers. The Programme Committee selects its own chair and a vice-chair who comes from a different group. Externally, they communicate jointly as far as possible.

The Programme Committee comprises, as far as possible, a balanced representation from the academic years and subject specialisations. Should a degree programme have many international students, their representation on the Programme Committee would also be desirable.

New candidate members are actively and widely recruited for elections and selection procedures, with practical support from the faculty communication department. All students and lecturers will be notified of an open position on the Programme Committee, giving everyone an opportunity to apply. Appendix 4 includes a more detailed explanation of the procedure for determining the composition of the Programme Committee.

Student members receive an Administrative Body Membership Grant through the Profiling Fund as compensation for the time they invest in the Programme Committee. Lecturer members are allocated hours in order to perform their Programme Committee activities. The Programme Group advises determining a fixed standard for the compensable hours for lecturer members (see Appendix 3). The decision can be made to allocate the chair or the vice-chair higher compensation than the other members in view of the additional tasks they perform associated with the advice to be issued and the tasks involved. This is all the more relevant if a consultation on cross-degree programme matters is established as referred to above and/or if the chair or the vice-chair take part in the consultation on the amendments to the Teaching and Examinations on behalf of the Programme Committee (see Appendix 1).

4. The relationship of the Programme Committee to other bodies within the faculty

Programme director and College/Graduate School director

In principle, the Programme Committee operates at degree programme level. Good collaboration and contact between the Programme Committee and the programme director are essential for ensuring that the Programme Committee functions effectively in light of the programme director's responsibility for the degree programme under the UvA governance model. The programme director ensures that the curriculum offered is actually provided and that it meets the quality standards. The Programme Committee provides advice to the programme director, helping the programme director give consideration to the perspectives of students and lecturers when making choices. An internal body that takes a critical and constructive approach to the quality of education is beneficial to the programme director.

The programme director notifies the Programme Committee as soon as possible of important developments within the degree programme, as well of external developments that could affect the degree programme and its environment. The programme director submits choices and measures with far-reaching consequences to the Programme Committee for consideration on a timely basis and responds to any advice issued by the Programme Committee within a reasonable time frame.

The chair and the vice-chair of the Programme Committee maintain regular contact with the programme director as often as necessary to keep each other updated and to contribute jointly to the quality of education. The programme director is a regular guest at Programme Committee meetings.

In principle, the Programme Committee does not address lecturers. Lecturers provide education under the responsibility of the programme director. One of the key tasks of the Programme Committee is to discuss teaching evaluations and to advise on the resulting improvement measures. In such cases, the programme director can opt to consult with the relevant lecturer.

Some cross-degree programme issues have considerable consequences for the degree programmes. In such cases, the Programme Committee issues advice even if the topics concerned do not fall within the programme director's sphere of influence. The Programme Committee addresses the College/Graduate School director or the dean in such instances. It would be advisable for the dean or the programme director to meet with the Programme Committees several times a year to discuss policy (proposals).

Faculty Student Council (FSR)

The FSR is the student representative advisory body at faculty level. The FSR provides advice on the preconditions for education at faculty level. The agendas of the FSR and Programme Committee partially overlap in terms of cross-degree programme issues that have considerable implications for

the individual degree programmes. The FSR and the Programme Committee both have the right of consent concerning sections of the Teaching and Examination Regulations, in some cases this may even relate to the same provisions.

It would be advisable for the both the FSR and the Programme Committees to make agreements on the allocation of tasks between the two bodies. A logical agreement is as follows: 'The Programme Committee primarily advises on policy that has a specific impact on one or a number of degree programmes. The FSR primarily advises on other policies'. Where applicable, faculties can indicate whether a policy matter relates to a degree programme or to faculty policy. Such an agreement is neither binding for the FSR nor for the Programme Committees, but serves as guidance. The college, graduate school and programme directors may moreover decide at any time to seek advice from both the FSR and the Programme Committees.

It is essential that the Programme Committee and the FSR are fully aware of each other's viewpoints and considerations. The exchange of information between both bodies can be organised in various ways. A number of faculties have good experience of designating fixed contact persons for the Programme Committees within the FSR. In some cases, FSR members also attend Programme Committee meetings, which occurs at the Faculty of Economics and Business and the Faculty of Law, or Programme Committee members are invited to FSR meetings. In other faculties, a regular FSR-Programme Committee consultation offers a solution. The faculty may also opt to allow FSR representatives to attend the cross-degree programme consultation together with the chairs and vice-chairs of the Programme Committees if such a consultation is held at faculty level.

Works Council

The Works Council is the employee representative advisory body at faculty level. The Works Council issues advice on all matters relating to the activities of lecturers and support staff. This means that numerous topics relating to the organisation of education are also discussed by the Works Council. Nevertheless the Works Council has no right of consent on sections of the Teaching and Examination Regulations. Occasional consultations between the Programme Committee and the Works Council may be useful, for instance to exchange views on the structure of the teaching evaluations. In all other respects, the Works Council primarily considers aspects other than the teaching aspects of education and education policy, which means that the advice issued by the Programme Committee and the Works Council will usually be complementary.

5. Processes

Planning, accountability and consultation

The Programme Committee draws up an annual plan before the beginning of each academic year to formulate key objectives, monitor progress and to schedule coordination meetings with other bodies. This enables new members to work in an efficient and structured manner from the outset. A

Programme Committee composed of new members may still self-evidently make adjustments at the beginning of the academic year.

The Teaching and Examination Regulations form an integral part of the annual plan. The Programme Committee also focuses attention on teaching evaluations, accreditation assessments and the results of the National Student Survey (NSE). In addition, the Programme Committee can address topics such as curriculum reviews, transitional arrangements, the language of instruction, teaching methods, etc. In defining key objectives, the Programme Committee can use its own insights and suggestions from the parties it represents, but may also seek a link to the annual plan of the degree programme, college/school or faculty. Obviously, room is reserved in the annual plan offers for the purpose of responding to current and unforeseen developments. Programme Committees can consult the Guide for the Programme Committee for guidance on drawing up an annual plan. Faculty support staff offer advice and can provide examples.

The Programme Committee consults with the programme director or the College/Graduate School director on the annual plan but independently determines its contents. Where Programme Committees cover many degree programmes, the programme director may not always be the most appropriate person with whom to discuss the annual plan. The first person to contact will in that case usually be the College/Graduate School director.

The Programme Committee meets on a regular basis to discuss these topics and the requests for advice submitted. Members who are unable to attend meetings must respond to the meeting documents in writing before the meeting is held.

The Programme Committee draws up an annual report each year containing an evaluation of its activities in the past year and the focus areas for the year ahead. The annual report constitutes input for the annual reports of the college/school and faculty, as well as feedback for students and lecturers.

Provision of advice

The Programme Committee provides solicited and unsolicited advice. The Programme Committee directs its advice to the requesting party. In providing unsolicited advice, the Programme Committee addresses the relevant level at its discretion (the programme director, College/Graduate School director or the dean).

The Programme Committee will be given sufficient opportunity to formulate substantiated advice that will actually be included in the decision-making process. The party to whom advice has been issued (the programme director, College/Graduate School director or the dean) will also respond within a reasonable period of time (two months).

The Programme Committee will not formulate its own advice in all cases. It may also outsource tasks to a working group or an advisory committee, usually in consultation with the programme director

or the College/Graduate School director.

Teaching and Examination Regulations process

A process to which special attention must be paid is the design of the Teaching and Examination Regulations process given that with effect from 1 September 2017 the Programme Committee has the right of consent concerning a number of programme-specific provisions in the regulations. The rights of consent of the Programme Committee partially overlap with those of the FSR.⁴

The manner in which an amendment is established may differ by faculty or even by degree programme. A number of basic principles are important in ensuring that the overlapping rights of consent and the rights to be consulted are applied in a prudent manner. They are as follows:

- The Programme Committee is directly and actively involved at the start of the Teaching and Examination Regulations process.
- The Programme Committee states at the earlier possible stage what aspects are important, takes part in coordination meetings organised by the faculty, listens to the arguments put forward by other parties and, if necessary, jointly seeks a workable compromise.
- Where necessary, the representative advisory bodies make (non-binding) agreements with each other on applying overlapping rights, taking the form of a gentlemen's agreement.
- During the Teaching and Examinations Regulations process the Programme Committee is kept informed of progress on the process. The Programme Committee provides feedback on draft versions so that discussions are conducted during this phase rather than in the final phase.
- The Programme Committee receives draft versions promptly so that it has sufficient time to respond.

Knowledge and continuity

Programme Committee members ensure that they have the required knowledge of Programme Committee affairs. For this purpose, Programme Committee members undergo Programme Committee training sessions, which are provided under the responsibility of the dean. These training sessions are designed to impart knowledge of the statutory tasks of the Programme Committee and the structure of the faculty programme organisation, and to provide practical guidelines on effective advising practices. Academic Affairs is responsible for monitoring the faculty training sessions. In addition to these basic training sessions, the Programme Committee members take part in information and knowledge-sharing meetings within and outside the UvA.

Programme Committee members duly transfer their knowledge to their successors. The preferred procedure for transferring knowledge is an overlapping structure, in which a section of the

⁴ A bill which would in any event reduce the overlap was submitted to the House of Representatives on 7 June 2017; if the bill is passed, the act will be amended with retroactive effect (see Parliamentary Papers II 2016/17, 34 735, no. 2).

Programme Committee retires from office each year and is replaced by new members. The current members train the new members.

The official secretary manages the digital archive where files and meeting reports can be retrieved.

Facilities

Section 9.48 of the WHW sets out the minimum facilities which the Programme Committees are entitled to use. As a general rule, this consists of 'all facilities that the Programme Committee needs to function effectively'. This is put into more concrete terms in the act with the following addition: '*Where it concerns facilities that the Programme Committee may reasonably require for the performance of its tasks this in any case includes administrative, financial and legal assistance and training*'. The WHW furthermore provides that the dean will make a training budget available to the members of the Programme Committee.

The section on facilities will be revised in the Guide for Programme Committees, which is due to be updated. The facilities stated in the act will be specified in further detail and supplemented, where necessary.

6. English term for the Programme Committee

According to the *UvA Vertaallijst*, the translation that should be used for the '*opleidingscommissies*' at the UvA is 'Programme Committee'. The term 'Programme Committee' has even been designated as the preferred term in Dutch texts. However, the term 'Programme Committee' regularly causes confusion.

The Programme Group therefore advises replacing 'Programme Committee' with the term 'Programme Committee'. This is the translation commonly used by almost all other Dutch universities.

The Programme Group advises maintaining the statutory term '*opleidingscommissie*' as the preferred term in Dutch texts.

Appendices to the Advisory Report on Strengthening Programme Committees.

Appendix 1: Allocation of rights of consent⁵

The Programme Committee will become a representative advisory body with effect from 1 September 2017 and will have the right of consent in regard to the programme-specific sections of the Teaching and Examination Regulations.⁶ In her letter of 20 December 2016, the Minister of Education, Culture and Science stated, among other things, that in her view there would not be any overlap between the rights of consent of the Programme Committee and the FSR.⁷

Analysis

Legal Affairs performed an analysis, and established a link between the existing Model Teaching and Examination Regulations and the change in the law (see the table further on in this document). The analysis clearly shows that the rights of consent of the Programme Committee and the FSR definitely do overlap in many areas. The overlap is caused by the wording of the legislative text, which states which topics in the Teaching and Examination Regulations are excluded from the right of consent per body. The UvA's Model Teaching and Examination Regulations contain more provisions than the topics that are at least required be included by law. These provisions are subject to the rights of consent of both the FSR and the Programme Committee.

The overlap can only be partially eliminated with an amended model of the Teaching and Examination Regulations. In many cases, the elimination of further overlap will result in the Teaching and Examinations Regulations being limited to the bare minimum, containing only the sections required by law. Such a minimal set of Teaching and Examination Regulations fails to do justice to the wider contribution from the Programme Committees, and therefore is undesirable. The exit qualifications in particular give cause for concern. In the opinion of Legal Affairs, the exit qualifications certainly do fall within the scope of the right of consent, although the Minister has stated that this is not the intention. The Programme Group agrees with the analysis of Legal Affairs. Incidentally, a bill which would in any event reduce the overlap was submitted to the House of Representatives on 7 June 2017; if the bill is passed, the act will be amended with retroactive effect (see Parliamentary Papers II 2016/17, 34 735, no. 2).

Design of the process

How should the UvA deal with this issue? The advice of the Programme Group for the Strengthening of Programme Committees is as follows:

- i. The working group for the Model Teaching and Examination Regulations will work on a new

⁵ For the purpose of the consultation on this section of the advisory report, the Programme Group has been temporarily expanded with Marjolein Blaauboer (FGw) and Kees van Wensen (FNWI).

⁶ See the letter from Legal Affairs to the Deans of 11 July 2016 (not appended).

⁷ The Education Inspectorate took the same view in its report entitled '*Recht van Spreken*' ('The Right to Speak') (December 2016, not appended).

model for the 2018-2019 academic year. During this process, the working group can examine what possibilities there are for eliminating the overlap in rights of consent as far as possible, for example, by placing provisions that currently regulate various topics on which the various representative advisory bodies have the rights of consent under different articles where possible. Dividing up the provisions as far as possible can ensure that the right of consent in regard to the 'new' provisions is clearly vested in one (the FSR) or the other representative advisory body. However, the options for doing so are limited by the desirability of having balanced and coherent regulations. This implies that the overlap in the rights of consent cannot be avoided for some provisions.⁸

- ii. The UvA should always emphasise that the representative advisory bodies, the programme directors and the deans share the responsibility for adopting appropriate Teaching and Examination Regulations. Reaching agreement on the Teaching and Examination Regulations is in the interest of all parties, and in the interest of the quality of education.
- iii. Faculties are advised to organise the Teaching and Examinations Regulations process in a manner that will reduce the risk of conflicting viewpoints as far as possible. This implies that the Programme Committees and the FSR as well as the Works Council and the Examinations Board, where possible, should be involved in the amendment process of the Teaching and Examination Regulations from the outset, are notified of the time frame and are requested at an early stage to state which particular aspects they consider important.
(In the request for advice to the Examinations Board, the faculties can specifically ask the Examinations Board to examine whether it will be able to perform its monitoring role on the basis of the present Teaching and Examination Regulations).

In consultation with the Programme Committees, the faculty could consider establishing a body that can essentially represent the Programme Committees and act as a discussion partner, particularly if a faculty has numerous Programme Committees. Such a body will help reach agreement on the advice issued by Programme Committees, thereby facilitating consistency in faculty policies and education logistics. The Programme Group wishes to make clear that the representation described above cannot bind the individual Programme Committees nor can it exercise the right of consent at any time on behalf of the Programme Committees.

It would be beneficial to the faculty to request the FSR, the Programme Committees and the Works Council to discuss with each other at the start of the Teaching and Regulations process how they plan to deal with conflicting viewpoints. The FSR could, for instance, state in the case of overlapping provisions that it will follow the Programme Committee, or in the case of a provision in Section A, the majority of the Programme Committees. Programme Committees could, for instance, state in the case of provisions in Section A on which their Programme Committee holds a different viewpoint that they will follow the majority of the

⁸ The work group for the Model Teaching and Examination Regulations is assumed to take the bill referred to earlier into account, which should in any case reduce the overlap.

Programme Committees. The FGw's Memorandum of Understanding with the faculty representative advisory bodies can serve as a useful example (Appendix 8). Such agreements cannot be enforced, and can only be made on a voluntary basis. The agreements between the representative advisory bodies themselves are non-binding, which obviously should be reached in consultation with the faculties.

- iv. What happens if the consent procedure for the Teaching and Examination Regulations stalls anyway?

The dean can again hold the representative advisory bodies accountable for their shared responsibility and request them to reach agreement based on the initial request for consent. The parties involved may opt to seek mediation. The initiative for seeking mediation, in principle, lies with the dean given that it is the dean who wishes to amend the Teaching and Examination Regulations and therefore requires the joint consent of the parties who have the right to grant consent.

The dean may also revoke the amendment decision that was initially proposed and submit a new request for consent excluding the amendments on which agreement was not reached so that other amendments can perhaps be implemented.

The parties involved (the dean, FSR, Programme Committee and possibly the Works Council) should make agreements on these procedures in advance, if possible, and document them. If the above options are not completed successfully, this means that no consent can be granted for the proposed amendments and that depending on how this is regulated in the Teaching and Examinations Regulations the existing Teaching and Examination Regulations will remain intact. An exception applies should the dean nonetheless decide to implement the amendment; in this case the dean or the representative advisory body can submit the dispute to the National Committee for Disputes concerning participation in decision-making in higher education (with the possibility of lodging an appeal with the Netherlands Enterprise Court at the Amsterdam Court of Appeal). The disputes committee also offers the possibility of mediation. The disputes committee proceedings will result in a provisional suspension of the amendment to the Teaching and Examinations Regulations. (The formal procedures in the event of withholding consent and the disputes committee proceedings are included in Appendix 2).

- v. However, this creates serious problems for degree programmes which are new or include new tracks, or suchlike. It is difficult for the Programme Group to offer a ready-made solution in advance here. This is a deadlock situation which the parties involved must resolve among themselves.

Allocation of rights of consent and rights to be consulted under the existing Model Teaching and Examination Regulations⁹

Teaching and Examination Regulations BA Section A	Legal basis	Right of consent FSR	Right of consent Programme Committee	Right to be consulted Programme Committee	Right to be consulted WC
Article 2.1 Prior education*					
Article 2.2 Equivalent prior education*					
Article 2.3 Entrance examination*	Section 7.29(2) WHW	X	X		X
Article 2.4 Refusal or termination of enrolment/iudicium abeundi*	Section 7.42a	X	X		X
Article 3.1 Structure of the academic year		X	X		X
Article 3.2 Structure of the degree programme	Section 7.13(2e)		X		X
Article 3.3 Internationalisation		X	X		X
Article 4.1 Participation in examinations		X	X		X
Article 4.2 Type of examinations	Section 7.13(2h and l)	X		X	X
Article 4.3 Oral examinations	Section 7.13(2n)	X		X	X
Article 4.4 Determination and announcement of the results	Section 7.13(2o)	X		X	X
Article 4.5 (except for paragraph 3 = GUIDELINE) Examination opportunities	Section 7.13(2j and h)	X		X	X
Article 4.6 Marks [GUIDELINE]					X
Article 4.7 Exemption	Section 7.13(2r)	X		X	X
Article 4.8 Validity period of results	Section 7.13(2k)	X		X	X

⁹ Summary based on the 2015-2016 Model Teaching and Examination Regulations. An amended model is currently being prepared for 2018-2019

Article 4.9 Right of inspection	Section 7.13(2p)	X		X	X
Article 4.10 Post-exam discussion	Section 7.13(2q)	X		X	X
Article 4.11 Final examination of the Bachelor's programme*	Section 7.11(2)				
Article 4.12 Degree certificate and statement*	Section 7.11				
Article 4.13 Fraud and plagiarism [GUIDELINE]					
Article 5.1(3 and 4) Honours programme	Section 7.13(2v)		X		X
Article 6.1 Study progress administration and academic student counselling	Section 7.13(2u)	X			X
Article 6.2 Academic counselling	Section 7.13(2f)			X	X
Article 6.3 (Negative) Binding study advice	Section 7.13(2f)			X	X
Article 6.4 Personal circumstances	Section 7.13(2f)			X	X
Article 6.5 Adaptations for students with disabilities	Section 7.13(2m)	X		X	X
Teaching and Examination Regulations BA Section B					
Article 1.2(1) Degree programme information	Section 7.13(2i)	X		X	X
Article 1.2(2) Degree programme information	Section 7.13(2b)		X		X
Article 2.1 Aim of the degree programme	Section 7.13(2b and c)		X		X
Article 2.2 Exit qualifications**	Section 7.13(2c)		X		X
Article 3.1 Supplementary educational entry requirements		X	X		X
Article 3.2 Entrance examination	Section 7.29(2)	X	X		X
Article 3.3 Language requirements		X	X		X
Article 3.4 Free curriculum	Section 7.13(2e)		X		X
Article 4.1 Composition of the degree programme	Section 7.13(2a)			X	X

Article 4.2 Academic development	Section 7.13(2a)			X	X
Article 4.3 Units of study	Section 7.13(2a)			X	X
Article 4.4 Units of study [compulsory for the major programme]***	Section 7.13(2e, h, j, l)	X	X		X
Article 4.5 Electives	Section 7.13(2e, h, j, l)	X	X		X
Article 4.6 Practical training	Section 7.13(2d)		X		X
Article 4.7 Order of examinations	Section 7.13(2s)	X		X	X
Article 4.8 Further conditions for participation in units of study and examinations		X	X		X
Article 4.9 Further conditions for examination opportunities and collective post-exam discussion	Section 7.13(2p)	X		X	X
Article 4.10 Participation in practical training	Section 7.13(2t)	X		X	X
Article 4.11 Further conditions for exemptions	Section 7.13(2r)	X		X	X
Article 4.12 Validity period of results****	Section 7.13(2k)	X		X	X
Article 4.13 Degree	Section 7.10a	X	X		X
Article 5.1 Minor programmes***	Section 7.13(2e, h, j, l)	X	X		X
Article 5.2 Electives***	Section 7.13(2e, h, j, l)	X	X		X
Article 5.3 Other electives		n/a	n/a		n/a
Article 6(1 and 2) Honours programme	Section 7.13(2v)		X		X
Article 6(3) Honours programme***	Section 7.13(2e, h, j, l)	X	X		X
Article 7.1 Academic student counselling		X		X	X
Article 7.2 (Negative) Binding study advice	Section 7.8b and 7.13(2f)			X	X

Teaching and Examination Regulations MA Section A					
Article 2.1 Prior education*	Section 7.30b				
Article 2.2 Application and enrolment procedure		X	X		X
Article 2.3 Faculty Admissions Board		X	X		X
Article 2.4 Admissions procedure		X	X		X
Article 2.5 Refusal or termination of enrolment/iudicium abeundi	Section 7.42a	X	X		X
Article 3.1 Structure of the academic year		X	X		X
Article 3.2 Structure of the degree programme	Section 7.13(2e)		X		X
Article 4.1 Participation in examinations		X	X		X
Article 4.2 Type of examinations	Section 7.13(2h and l)	X		X	X
Article 4.3 Oral examinations	Section 7.13(2n)	X		X	X
Article 4.4 Determination and announcement of the results	Section 7.13(2o)	X		X	X
Article 4.5 (except for paragraph 3 - GUIDELINE) Examination opportunities	Section 7.13(2j and h)	X		X	X
Article 4.6 Marks [GUIDELINE]					
Article 4.7 Exemption	Section 7.13(2r)	X		X	X
Article 4.8 Validity period of results****	Section 7.13(2k)	X		X	X
Article 4.9 Right of inspection	Section 7.13(2p)	X		X	X
Article 4.10 Post-exam discussion	Section 7.13(2q)	X		X	X
Article 4.11 Master's final examination	Section 7.11(2)				
Article 4.12 Degree certificate and statement*	Section 7.11	X	X		X
Article 4.13 Fraud and plagiarism [GUIDELINE]					
Article 5.1 Study progress	Section	X		X	X

administration and academic student counselling	7.13(2u)				
Article 5.2 Adaptations for students with disabilities	Section 7.13(2m)	X		X	X
Teaching and Examination Regulations MA Section B					
Article 1.2(1) Degree programme information	Section 7.13(2i)	X		X	X
Article 1.2(2) Degree programme information	Section 7.13(2b)		X		X
Article 2.1 Aim of the degree programme	Section 7.13(2b and c)		X		X
Article 2.2 Exit qualifications**	Section 7.13(2c)		X		X
Article 3.1 Admission requirements	Section 7.30b				
Article 3.2 Pre-Master's programme		X	X		X
Article 3.3 Maximum number of student places limited	Section 7.30b(3 and 4)	X	X		X
Article 3.4 Final application deadline		X	X		X
Article 3.5 Language requirements		X	X		X
Article 3.6 Free curriculum	Section 7.13(2e)		X		X
Article 4.1 Composition of the degree programme	Section 7.13(2a)			X	X
Article 4.2 Compulsory units of study***	Section 7.13(2e, h, j, l)	X	X		X
Article 4.3 Practical training	Section 7.13(2d)		X		X
Article 4.4 Electives***	Section 7.13(2e, h, j, l)	X	X		X
Article 4.5 Order of examinations	Section 7.13(2s)	X		X	X
Article 4.6 Further conditions for participation in units of study and examinations		X	X		X
Article 4.7 Further conditions for examination opportunities and collective post-exam discussion	Section 7.13(2p)	X		X	X
Article 4.8 Participation in practical	Section	X		X	X

exercises and tutorial sessions	7.13(2t)				
Article 4.9 Further conditions for exemptions	Section 7.13(2r)	X		X	X
Article 4.10 Validity period of results	Section 7.13(2k)	X		X	X
Article 4.11 Degree	Section 7.10a	X	X		X
Include new article in the Model Teaching and Examination Regulations on the degree programme evaluation method.	Section 7.13(2a1)		X		X
* For the sake of completeness, these provisions, which have been taken directly from the WHW, are included in the Model Teaching and Examination Regulations.					
** The Minister of Education, Culture and Science has emphasised that the exit qualifications are excluded from rights of consent (Minister's letter to the Executive Boards of 20 December 2016).					
According to the Minister, exit qualifications should be included under Section 7.13(2a) WHW.					
***Elements of these articles are subject to both consent from the FSR and the Programme Committee, or the Programme Committees right to be consulted.					
**** The article on the validity period will be transferred to Section 7.10(4) WHW in due course.					

Appendix 2: Disputes procedures

I The procedure in the event consent is not granted by the faculty representative advisory body is set out in Section 9.40 WHW and is outlined below:

- 1) The dean submits the decision or proposed decision to the representative advisory body for consent. This may be the Works Council and/or the FSR or the Programme Committee.
- 2) The representative advisory body and the dean discuss this at least once.
- 3) The representative advisory body does not grant consent, stating arguments for not doing so (i.e. a 'no' or 'no, unless').
- 4) The dean is unable/unwilling to comply with the requirements of the representative advisory body, even after any further consultations and pledges; the representative advisory body continues to withhold consent.

> *The dean may not make a decision and may not proceed to implement the decision*

- 5) The dean wishes to proceed to make the decision and requests the Executive Board (EB) to mediate.
- 6) Mediation fails to result in consent being granted, or the EB finds that there is no scope for mediation.
- 7) After consulting with Legal Affairs, the dean brings the dispute before the National Committee for Disputes concerning participation in decision-making in higher education and may also request permission (substitute consent) to make a decision (the complete file must be submitted). The duration of the proceedings is quick, around three months;
- 8) The Disputes Committee endeavours to mediate where possible, and should this not be possible / or is assessed as such, the committee will request the representative advisory body to put forward a defence.
- 9) The Disputes Committee conducts a hearing with both parties.
- 10) The Disputes Committee delivers a binding decision.
- 11) A appeal may only be lodged with the Netherlands Enterprise Court against the decision if there is a conflict with the law or if the law has been incorrectly interpreted.
- 12) There is a possibility to conduct urgent proceedings for urgent cases (at the discretion of the Disputes Committee). A hearing will then be held as soon as possible and the decision will be delivered within two weeks at the latest after the hearing.

A) The Disputes Committee reviews in the event that consent is withheld whether:

- i) the dean has complied with the law or the applicable regulations for participation in decision-making;
- ii) in weighing up the interests, the dean has reasonably reached the proposed decision or decision;
- iii) the dean has acted negligently towards the relevant advisory body.

B) The Disputes Committee reviews in the event of a request for substitute consent (=permission to make a decision) whether:

- i) the decision of the representative advisory body to withhold consent is unreasonable;
- ii) the dean's proposed decision is dictated by substantial organisational, economic or social reasons.

II Procedure in the event of negative advice (Section 9.40(3) WHW):

If a dispute concerns failure to follow the advice of a representative advisory body in its entirety, implementation of the decision will be deferred by a four-week period, unless the relevant representative advisory body has no reservations about implementing the decision with immediate effect. The four-week period offers the representative advisory body the opportunity to bring the dispute before the National Committee for Disputes concerning participation in decision-making in higher education. The committee's review framework is similar to that applied to withholding consent (see under A).

III Initiative to approach the Disputes Committee

In the event of a dispute arising from consent withheld by a representative body, the dean may not proceed with the decision and the initiative to approach the Disputes Committee therefore lies with the dean. Should the dean not comply with negative advice, the dean may, however, proceed to implement the decision after a four-week period and the initiative to approach the Disputes Committee within the four-week period therefore lies with the representative advisory body.

Appendix 3: Compensation

Current schemes

The Executive Board adopts the Profiling Fund scheme on an annual basis. This scheme includes compensation for Programme Committee student members. Under the 2016-2017 scheme, Programme Committee student members were entitled to compensation amounting to double the standard monthly amount of €275. The scheme is based on student members spending over 6.5 hours on Programme Committee activities on a monthly basis. The above compensation applies UvA-wide, but there are differences in the way in which it is implemented by the faculties. Examples are: a faculty allowance as a supplement to the compensation, or sharing the compensation with other student members.

There is no centrally arranged compensation for lecturers. The dean determines whether lecturers are allocated hours, and how many. The current faculty agreements are shown in the table below.¹⁰

	FEB	ACTA	FGw	AMC-UvA	FNWI	FMG	FdR
No. of available hours for lecturers (per year)	0.05 FTE (±90 hours); chair (higher)	Chair: 0.2 FTE (±360 hours), member : 0.05 FTE	Chair: 50 hours; lecturer member: 25 hours	Chair Programme Committee Medicine: 250 hours; Lecturer member Programme Committee Medical Informatics: 100 hours; Lecturer member Programme Committee Medical Informatics: 50 hours	Chair: 75 hours Lecturer member: 30 hours	Differs per degree programme and ranges between 100-60 hours for the chair, and 65-35 hours for a member. (Chair Programme Committee Psychology is allocated 168 hours). The College/Graduate School directors set out the compensable hours in the college/school norm, which is submitted to the Works Council for consent each year.	No general scheme; determined by the relevant department in consultation with the lecturer members.

¹⁰ Figures based on an analysis March 2017.

Current time investment

The Education Inspectorate has found that many Programme Committee members experience a lack of time as problematic.¹¹ The limited time available is usually dedicated to consultations. Providing substantiated advice, and liaising with other students and lecturers are activities that often fall by the wayside.

At the end of 2016, the Inspectorate examined how much time Programme Committee members spend on their Programme Committee activities and concluded that UvA Programme Committee student and lecturer members invest an average of seven hours on a monthly basis, which is slightly above the national average. Earlier in that year, the ASVA Student Union arrived at a similar number of hours (6.5 hours on a monthly basis).¹²

These figures indicate that the current student compensation corresponds to the actual amount of time spent, and that lecturer compensation often falls short. The Programme Group has concluded that this has weakened lecturer engagement in particular in some Programme Committees, and as a result the functioning of those Programme Committees.

Future time investment

Under the Enhanced Governance Powers (Educational Institutions) Act, the Programme Committee is designated as a formal representative advisory body, with an expanded range of tasks compared with their current tasks. The increase in tasks will take up more of the Programme Committee members time, as also predicted by the inspectorate.

No precise statements can as yet be made on the future time investment. The Programme Committees are likely to need more time in view of their closer involvement in the Teaching and Examinations Regulations process, maintaining relations with other students and lecturers, the programme director and the FSR, and recruiting new members. The normal time investment of a Programme Committee member might look as follows:

Ballpark estimate of the time investment of each Programme Committee member¹³

Current tasks	Avg no. hours per month	Additional tasks	Avg no. hours per month
Meetings	2	Recruiting new members	1
Assessing teaching evaluations	2	Additional contact with students/lecturers	1
Assessing draft Teaching and Examinations Regulations	1	Earlier involvement in the Teaching and Examinations Regulations process	1

¹¹ 2016, 'Recht van spreken – het functioneren van opleidingscommissies in het bekostigd hoger onderwijs'.

¹² 2016, 'Opleidingscommissies aan de Universiteit van Amsterdam: een knelpuntenanalyse'.

¹³ The estimated number of hours may differ for each Programme Committee.

NSE/accreditation	0.5	Cross-degree programme policy	0.5
Contact with students/lecturers	0.5		
Other degree programme policies	0.5		
Total	6.5	Total	3.5

The actual time investment will depend on the organisational context and the structure of the Programme Committee itself.

Future schemes

The Programme Group proposes adjusting the compensation for Programme Committee members in line with the increased time investment. A factor that was also considered was that a substantial increase in compensation sends a clear message to the Programme Committee, and the programme directors whom they advise, that the role of the Programme Committees has been expanded with effect from September 2017.

This means a 50% increase in student compensation. Half of the increase comprises a non-recurring increase in compensation, taking account of the special efforts during the transitional period, and the other half a structural increase. The Programme Group issued advice on student compensation through the Profiling Fund on 2 February 2017, which has meanwhile been incorporated into the revised Profiling Fund scheme. Compensation amounting to 3 x € 275 is available for student members in the 2017-2018 academic year, and 4 x € 275 for student members serving as vice-chair.

Lecturer members receive compensable hours and the Programme Group believes it is important that they are allocated sufficient hours from 1 September 2017 to perform their activities for the Programme Committee. The number of compensable hours may depend on the number of degree programmes attached to a Programme Committee, the number of students pursuing those programmes, the context and the design of the Programme Committee, and the role of the Programme Committee member (chair or ordinary member). The Programme Group is of the opinion that the average compensable hours should be at least 100 a year¹⁴ to ensure balanced efforts from both the student and lecturer contingents in the Programme Committee. Deans may derogate from that number, stating reasons.

The Programme Group advises facilitating additional compensation for members who act as chair or vice-chair. Chairs/vice-chairs will usually spend more time than ordinary members, mainly on consultations with other bodies and with the programme director.

If the Programme Committee (in consultation with the College/Graduate School director or the dean) regularly outsources tasks to a subcommittee (such as an evaluation committee), compensation should also be made available to those parties.

¹⁴ The average figures stated apply at faculty level. Lecturer members of Programme Committees with multiple degree programmes may receive a higher number of compensable hours than other lecturer members.

The Programme Group is aware that the compensation set out above entails additional costs, but views this as an investment in the quality of education. The compensable hours may not give cause to proceed to merge Programme Committees.

At the end of the 2017-2018 academic year, the Programme Group will examine the actual time investment to verify whether the increase is justified. If the results of the study show that the compensation should be higher or lower, the compensation increased on a non-recurring basis will be adjusted with effect from the 2019-2020 academic year.

Appendix 4: Composition procedure

Composition procedure under the Enhanced Governance Powers (Educational Institutions) Act

The WHW provides that members of the Programme Committee will be chosen on the basis of elections with effect from 1 September 2017. In consultation between the dean and the faculty council, a procedure for determining the composition of the Programme Committee other than elections can be set out in the Faculty Regulations. This must be determined each year (Sections 9.18(4), 9.31, 10.3c(4) and 10.17 WHW).

The change in the law enters into force on 1 September 2017. In some cases the composition of the Programme Committee will be determined before summer and in other cases after summer. New members may even join after 1 September if other members drop out, or if seats have also been reserved for first-year students. Any members appointed in the course of the 2017-2018 academic year must be appointed on the basis of elections, unless determined otherwise in the Faculty Regulations. Members whose term of office has not yet expired, may remain on the Programme Committee.

Harmonisation or diversity

Given that the procedure for determining the composition of the Programme Committee is reserved for the dean or in the case of the UvA, the Faculty Student Council and the Works Council, different procedures may have been provided for within the UvA. Agreements may be made within the faculties to harmonise the procedure for determining the composition of the Programme Committee, but they may also opt to allow different procedures to co-exist. It is possible to determine the composition of the student contingent in a different manner than the lecturer contingent.

What are the options?

The law stipulates elections, unless determined otherwise in the Faculty Regulations. Concerning the other Programme Committee formation possibilities, the WHW merely provides that an alternative procedure for determining the composition of the Programme Committee may be set out in the Faculty Regulations in consultation with the dean and the faculty representative advisory body and that it should be determined each year whether it is desirable to maintain the alternative procedure. The options that were mostly considered within the UvA and externally in recent months are elections and a selection procedure. The appointment of members based on a draw procedure is being considered by some faculties.

Currently there still are Programme Committees whose incumbent members are seeking new members through their own network (co-option). In the Programme Group's view this is not an appropriate procedure. New candidate members should be actively and widely recruited. All students and lecturers should be notified of an open position on their Programme Committee, giving everyone an opportunity to apply.

It would be equally worthwhile to examine options for achieving a balanced composition of the Programme Committee; for instance, by allocating seats across degree programmes and tracks.

The advantages of elections are that the composition Programme Committees will be determined on the basis of a more democratic procedure, the campaign will generate greater awareness for the activities of the Programme Committee, potential interest in Programme Committee membership can be attracted from a wider group of candidates and the legitimacy of the Programme Committee will be strengthened as a result.

The disadvantage of elections is that if the number of candidates falls below expectations, no elections can actually be held and the quality of the composition of the Programme Committee may be compromised, while action can scarcely be taken against non-performing Programme Committee members. A further disadvantage is that the Programme Committee will become politicised and polarised, causing members to attempt to secure campaign points while leaving less room for a proper discussion on education and the organisation of education. Moreover, elections are labour and time-intensive and therefore are costly. Drawing up lists of candidates could pose a considerable organisational challenge. Which degree programme(s) can students vote for if they are enrolled in degree programme X but are taking electives offered by degree programme Y? Or, if they enrolled in more degree programmes, but are earning their credits (almost) entirely for degree programme X? What if a student has offered their candidacy for several degree programmes and has been elected? Similar issues apply to lecturers who provide courses for several degree programmes

The advantage of a selection procedure (or an alternative procedure for determining the composition of the Programme Committee) is that greater customisation at faculty level is possible, and more particularly that it is easier to find candidates for a Programme Committee membership role. It is already difficult to find potential candidates among lecturers; the number of candidates is unlikely to rise in the event of elections.

Elections

Elections can be organised in various ways:

- through the Central Electoral Office
- by the faculties.

The advantage of organising elections through the Central Electoral Office is that it has considerable experience of organising elections, and that it will ensure that elections will proceed in a fair and transparent manner. The elections can be held in parallel with the elections of the other representative advisory bodies, which makes it easier to raise awareness for the elections.

The disadvantage is that elections conducted by the Central Electoral Office have a long lead time. From a practical point of view, it is not feasible to have lists of candidates and voters available for the one-year Master's programmes in advance of the new academic year. Moreover, this year the

Central Electoral Office is faced with a lack of capacity and and a lack time to be able facilitate Programme Committee elections.

Faculties may also organise elections under their own management in various ways. This would normally be a digital procedure. The UvA could create a portal, a standard web page where voters can vote for candidates and which they can access via a link. The dean could set up a faculty electoral committee, or could allow the faculty office to organise elections.

The advantage of a faculty approach is that this tool can easily be deployed in a flexible manner, several times a year if necessary. The disadvantage of a faculty approach is that privacy and reliability are ensured to a lesser degree.

To achieve a balanced representation of the various interests, subdistricts could be used for elections. In terms of student councils, Medicine serves as a good example: the Medicine district is subdivided into 'Medicine' (District A) and 'Medicine – Medical interns' (District B). A student must be registered as a 'medical intern' to be eligible for election in District B, only then will the student have the right to vote actively and passively. Working with subdistricts ensures that the seats reserved for those districts are only occupied by a specific category of eligible voters. After the elections they will jointly form a single Programme Committee.

Further options are a list system and an individual candidate system. In a list system candidates put forward their candidacy on a candidate list and jointly take part in elections. In an individual candidate system votes may only be cast for an individual.

The advantage of a list system is that an interim vacancy can easily be filled by the following person on the list. The candidates on the list can clearly profile themselves towards voters with shared viewpoints.

The advantage of an individual candidate system is that votes can be cast for one individual rather than a set of viewpoints so that Programme Committee members can act without requiring a mandate or consultation. The individual candidate system is easier to combine with a subdistrict system.

The options are as follows:

Single district, list system	Subdistricts, list system
Single district, individual candidate system	Subdistricts, individual candidate system

Suggested action plan for elections

Hold consultations on the set-up of elections (dean's initiative) Discuss the following:

- timing
- participating bodies
- district/subdistrict system
- list system or individual candidate system
- through Central Electoral office or under own management
- digital or paper-based format

Adopt the election protocol

Appoint the election committee

Invite candidates to participate (with an active recruitment campaign)

Determine list of candidates

Notify eligible voters

Facilitate campaign (website, newsletter, meeting, etc.)

Hold elections

Count and check validity of votes

Announce results

Selection procedure

A selection procedure may be a suitable alternative for elections, provided that a number of conditions are met. The procedure must be transparent, and all students and lecturers must have an opportunity and be invited to participate. A lecturer is deemed to be a staff member who makes a substantial contribution to the degree programmes linked to the Programme Committee. The faculty should determine when a substantial contribution is deemed to exist.

During the procedure, selection can be based on assigned seats reserved for lecturers and students who are attached to a certain degree programme or track. This type of specific composition is not a requirement.

The dean and the faculty representative advisory body share responsibility for the design of the selection procedure,¹⁵ taking the requirements of the relevant Programme Committee into account. At the very least, the selection committee includes two members of the relevant Programme Committee, a lecturer and a student. The remaining composition may vary according to whether the degree programme is large or small and whether there is a vacancy for a student or lecturer member. The programme director, College/Graduate School director and the dean are excluded

¹⁵ The legislator has stipulated that the procedure for determining the composition of the Programme Committee (other than elections) should be provided for in the Faculty Regulations, with the associated right of consent vested in the faculty representative advisory body. This does not entail the right of consent concerning the *procedure applied* but, in the spirit of the law, shared responsibility for this procedure is required.

from membership of the selection committee. Members of the FSR and the Works Council may sit on the selection committee.

Suggested action plan for a selection procedure

Hold consultations on the procedure (dean's initiative) Discuss the following:

- timing
- composition of the selection committee
- profile description

Adopt the selection procedure

Appoint the selection committee

Invite candidates to apply (with an active recruitment campaign; including announcement of the selection procedure in a transparent manner)

Conduct interviews with candidate members

The dean appoints the selected candidates

Possibility to lodge an objection

Facilitation

For both elections and alternative procedures, the question is whether they should be centrally facilitated.

Elections must be centrally facilitated so that faculties can hold elections if they wish to do so. It is important to organise facilitation in the short term. Using central facilitation need not be obligatory. It would be advisable to offer faculties the scope to organise elections themselves.

It should be left to the faculties to design selection procedures or alternative procedures.

Timing

Not all Programme Committee members need to be appointed simultaneously. For staff planning reasons, lecturers often need to be appointed well in advance. Student members can be appointed within a shorter time frame. If the composition of the Programme Committee is determined before the summer, the Programme Committee can commence its activities quickly in the academic year. However, the disadvantage is that the complete student population will not yet be present at that time. One solution is to reserve one or more seats for new students, and to fill them only after the summer.

Faculty Regulations

New agreements on the procedure for determining the composition of the Programme Committee should preferably be adopted by 1 September 2017. The following example texts can be used for this purpose:

Selection procedure

The dean appoints the Programme Committee members.

- a. Students comprise half of the members. They are selected from among the students who are enrolled in the relevant programme(s).*
- b. The other members are selected from among the staff responsible for providing the courses for the relevant degree programme(s).*
- c. Selection is carried out under the responsibility of the dean by a selection committee, in which the student contingent and the lecturer contingent of the Programme Committee are in any case represented.*
- d. The selection protocol is jointly determined by the dean and the faculty representative advisory body.*
- e. Student members are appointed for a x-year term for Bachelor's programmes, and for a y-year term for Master's programmes. Lecturer members are appointed for a z-year term. Upon expiry of their term of office, Programme Committee members are eligible for reappointment for a maximum of two further terms.*

Elections

The members of the Programme Committee are appointed on the basis of elections.

- a. Students comprise half of the members. They are elected by and from among the students who are enrolled in the relevant programme(s).*
- b. The other members are elected by and from among the staff responsible for providing the courses for the relevant degree programme(s).*
- c. The elections are conducted under the responsibility of the dean by an election committee, in which the student contingent and the lecturer contingent of the Programme Committee are in any case represented.*
- d. The election protocol is jointly determined by the dean and the faculty representative advisory body. A simplified election protocol applies to the replacement of members who are unable to complete their term of office for whatever reason.*
- e. Student members are appointed for a x-year term for Bachelor's programmes, and for a y-year term for Master's programmes. Lecturer members are appointed for a z-year term. Upon expiry of their term of office, Programme Committee members are eligible for reappointment for a maximum of two further terms.*

The above texts are suggestions. Of course, faculties are permitted to use their own appropriate wording.

Appendix 5: Composition and remit of the Programme Group

Composition

The members of the Programme Group are as follows:

- Marco Loos, FdR programme director, chair
- Hotze Lont, Academic Affairs, secretary
- Nancy van den Brink, Legal Affairs
- Janine Smit, Academic Affairs
- Linda van Exter, student assessor, Executive Board
- Mark Dzoljic, member of the Central Student Council
- Noa Visser, member of the Central Student Council
- Julia van Rosmalen, FGW Programme Committee student member (until 22 May 2017)
- Joris Maree, FEB Programme Committee lecturer member
- Saskia Haverkamp, Member of the FGW Faculty Student Council from 22 May 2017)

Programme Group remit

1. Drawing up a time line, which includes the entry into force of the Enhanced Governance Powers (Educational Institutions) Act, and implementation by the faculties and central executive staff.
2. Formulating a vision for the ideal Programme Committee, and the environment in which the Programme Committee can function optimally.
3. Notifying Programme Committees, Faculty Student Councils, the Joint Meeting (GV), the University Committee on Education (UCO), the Executive Board and any other parties concerned of the implementation of aspects of the Enhanced Governance Powers (Educational Institutions) Act relating to the Programme Committees.
4. Advising the Executive Board of the following:
 - o the facilitation of Programme Committees;
 - o the organisation and support of elections for Programme Committees.
5. Monitoring the implementation of the Governance Powers (Educational Institutions) Act, the recommendations from the mid-term review, and providing a further incentive, where necessary.

Following on from its remit, the Programme Group monitors the preparation of a revised Guide for Programme Committees and a revised Model Standing Regulations for Programme Committees.

Schedule

The Programme Group commenced its activities in December 2016, and these will continue until June 2018. The student members of the Programme Group may change with effect from the new academic year.

The Programme Group will submit interim reports to the UCO and the rector in June 2017 and in January 2018.

Procedure

Based on the timeline, the Programme Group convened on ten occasions in the spring of 2017 to formulate proposals for the role and facilities of the Programme Committees, dealing with overlapping rights of consent and the composition procedure.

The Programme Group made use of the UCO for specific questions, and a focus group in which Programme Committee members, FSR members, programme directors and quality assurance staff of the faculties are represented. At the Rector's request, a draft version of a recommendation (on how to deal with overlapping rights of consent) was submitted to the Central Executive Council (CBO). The 'vision document' was submitted to the wider academic community for feedback, via the *denkmeem.uva.nl* web page.

At a number of faculties, working groups have undertaken preparations for the entry into force of the Enhanced Governance Powers (Educational Institutions) Act concerning Programme Committees. The Programme Group maintains contact with these groups and shares core documents with them.

The responsibility for supporting and facilitating Programme Committees lies primarily with the faculties.

In June 2017 the Programme Group held an information meeting for Programme Committee members, programme directors, members of the Faculty Student Councils and the Works Councils and other stakeholders, during which it presented a draft advisory report.

Appendix 6: Composition of the focus group

The faculties were invited to nominate members for the focus group in January. Not all faculties were able to find as many candidates who were willing to apply. In some cases, the focus group members coordinate their input with other parties within the faculty.

FGw

Claire Morrison – student member Programme Committee BA History and student member of the council of the College of Humanities

Rosa de Jong – student member Programme Committee MA History and Programme Committee Philosophy

Rosanne Alderliefste – policy officer education and faculty contact for the Programme Committees

Rudolph Glitz – programme director, Northern European languages

Jeroen Jansen – programme director, Dutch Studies

Saskia Haverkamp – FSR-FGw (until 22 May 2017)

FdR

Maartje Meijers – student counsellor / policy officer, PPLE College

FMG

Monique Timmers – lecturer member CW Programme Committee, member of the working group on the organisation of participation in decision-making at FMG

Esther Spanjaard – student member Psychology Programme Committee

Bas de Jong – student member POW Programme Committee

Gerben Moerman – lecturer member Sociology Programme Committee

Sterre Minkes – quality assurance officer, member of the working group on the organisation of participation in decision-making at FMG

Sacha Palies – CSR FSR-FMG representative

FEB

Maxim Welling – student member EB Programme Committee

Marieke van Kempen – quality assurance officer

Daan Schweigmann – Programme Committee student member

Tim Boonen – Programme Committee lecturer member

AMC-UvA

Hanneke Lips – policy officer

AMC-UvA Programme Committees (contact person Yvonne Bulten)

FNWI

Elsbeth Brouwer – lecturer member Logic Programme Committee

Patrick Faassen – policy officer

Nick Nauta – FSR-FNWI

Kees van Wensen – policy officer

Sylvia Witteveen – programme director, Psychobiology

Thijs Etty – lecturer member AUC Programme Committee

ACTA

Cor van Loveren – Programme Committee lecturer member

Jasne Krooneman – policy officer

Toon Ligtenberg – secretary Dentistry Programme Committee

Appendix 7: Change in the law

The consequences of the amendment of the Higher Education and Research Act (WHW), with effect from 1 September 2017, for the Programme Committees are summarised as follows (*for a summary of the amended legislative texts, see below*):

- The Programme Committees will be granted the right of consent in regard to the programme-specific sections of the Teaching and Examination Regulations. This applies for the first time to the Teaching and Examination Regulations for the 2018-2019 academic year, which will be prepared during the 2017-2018 academic year.
- With effect from 1 September 2017, in principle, the composition of the Programme Committees is required to be determined on the basis of elections, unless the faculties opt for an alternative composition procedure (read: appointment). The alternative procedure must be documented by means of an amendment to the Faculty Regulations and always applies for a one-year period. The Faculty Student Council and the Works Council have the right of consent in regard to such amendments. This situation also applies to vacancies arising from 1 September 2017.
- The Programme Committee may invite the programme director and the dean to discuss policy twice a year based on an agenda drawn up by the Programme Committee.
- The dean allows the Programme Committee to use the facilities that are available to the Programme Committee and which the Programme Committee reasonably requires for the performance of its tasks, which in any case includes administrative, financial and legal assistance and training.
- The dean makes available to the Programme Committees a training budget that is jointly determined by the dean and the Programme Committee.
- The Programme Committee may directly approach the National Committee for Disputes concerning participation in decision-making in higher education.

The WHW will be amended as follows:

Section 9.18. Programme Committees

A Programme Committee must be established for each degree programme or group of degree programmes. The Programme Committee is charged with providing advice on promoting and safeguarding the quality of the degree programme. In addition, the Programme Committee:

- a. has the right of consent in regard to the Teaching and Examination Regulations as referred to in Section 7.13, with the exception of the topics referred to in the second paragraph under a, f, h through u, and x, and with the exception of the requirements referred to in Section 7.28(4)(5), and Section 7.30b(2);
- b. is charged with reviewing the manner in which the Teaching and Examination Regulations have been implemented each year;

- c. has the right to be consulted in respect of the Teaching and Examination Regulations as referred to in Section 7.13, with the exception of the topics on which the Programme Committee has a right of consent pursuant to part a, and
- d. is charged with issuing solicited and unsolicited advice and proposals to the degree programme board as referred to in Section 9.17(1) and to the dean on all matters relating to the education provided by the relevant degree programme. The Programme Committee submits the advice and proposals, as referred to under d, for information to the faculty council.

2 Section 9.35, preamble and parts b, c, and d. equally apply to advice as referred to in paragraph 1.

3 If the Programme Committee submits a proposal to the degree programme board or the dean as referred to in paragraph 1, part d., the degree programme board or the dean will respond within two months of receipt of the proposal.

4 Paragraphs 3 through 8 of Section 9.31 equally apply to the Programme Committee. In consultation between the degree programme board, or the dean and the faculty council, an alternative procedure other than elections may be adopted for determining the composition of the Programme Committee. Whether it is desirable to maintain the alternative procedure will be determined each year.

5 The Programme Committee is authorised to invite the degree programme board or the dean at least twice a year to discuss the policy proposed, based on an agenda prepared by the Programme Committee.

6 If a faculty only offers one degree programme, the Faculty Regulations may provide that the tasks and powers of the Programme Committee are performed by the faculty council as referred to in Section 9.37.

Section 9.48.

1 A phrase has been added to the end of the first paragraph before the full stop as follows: 'which in any case includes administrative, financial and legal assistance and training'.

2 The first sentence in the second paragraph therefore is as follows: The Executive Board makes available to the members of the University Council a training budget that is jointly determined by the Executive Board and the council.

A bill was submitted to the House of Representatives on 7 June 2017 (see Parliamentary Papers II 2016/17, 34 735, no. 2).

Paragraph one of Section 9.18 has been amended as follows:

1. Part a is as follows:

a. rights of consent in regard to topics in the Teaching and Examination Regulations, as referred to in Section 7.13, paragraph 2, under a1, b, c, d, e, g and v, and in regard to the Faculty Regulations where this relates to topics referred to paragraph 4.

2. At the end of part c 'and' has been deleted, and after part d, where the full stop has been replaced by ', and' an addition has been made at the end of that part, which is as follows:

e. discussing the assessment report, referred to in Section 5.13, paragraph 4.

Appendix 8: Memorandum of Understanding (FGw)

Memo

Date	Handled by	Telephone
8 May 2017	Fred Weerman / dean	+31 (0)20 525 3110
Subject	Memorandum of Understanding with the representative advisory bodies	

In view of the Enhanced Governance Powers (Educational Institutions) Act, the FGw is considering various ways of potentially dealing with the overlap in the rights of the representative advisory bodies arising upon the entry into force of the new powers of the Programme Committees on 1 September. We are concentrating on the rights concerning abolishing and initiating tracks, as well as concerning degree programmes given that in our experience these procedures can often be difficult and time-consuming.

From the overviews issued by the Programme Group for the Strengthening of Programme Committees, we have learned that the Programme Committees are due to be granted the right of consent in regard to abolishing and initiating tracks, and the right to be consulted on abolishing degree programmes. The Works Council and the Faculty Student Council already have the right of consent in regard to abolishing degree programmes.

In its memo to the deans (as discussed by the Central Executive Council on 16 March), the Programme Group for the Strengthening of Programme Committees stated (under iii) that the Faculty Student Council and the Programme Committees will be requested to agree with each other on how they plan to deal with conflicting viewpoints during the Teaching and Examinations Regulations process. The programme group stated that such agreements must be made among the representative advisory bodies and that the faculties are not a direct party to any such agreements.

However, we wish to endeavour to make agreements with our Faculty Student Council and the Works Council to enable these processes to proceed smoothly. While such agreements may not be legally binding, we hope that they will contribute to efficient governance and good relations.

We have prepared a proposal for an 'agreement' that might be made. This proposal is similar to the agreements that were made earlier at central level with the Central Works Council and the Central

Student Council concerning the right of consent in regard to abolishing degree programmes. It was agreed that the Central Works Council and the Central Student Council will review only whether the procedure has proceeded properly at faculty level and will not make any further substantive assessments. For the sake of completeness, the proposal includes the agreement made earlier on Master's tracks within the FGw. Legal Affairs has looked at this text and has stated that it is fine if faculties are able to make such an agreement internally with the representative advisory bodies, noting that such agreements are not legally binding.

Proposed Memorandum of Understanding with the Works Council and the Faculty Student Council for proposed decisions concerning initiating and abolishing tracks and degree programmes

- The Works Council and the Faculty Student Council endorse the subsidiarity principle, whereby decision-making should be vested as far down in the organisation as possible.
- Consent should initially be sought from the Programme Committee for a decision concerning initiating and abolishing a *track*. The Works Council and the Faculty Student Council have the right of consent only where this concerns abolishing Master's tracks that used to be independent degree programmes before the introduction of the broad labels. If the Works Council and the Faculty Student Council have the right of consent, they should subsequently review only whether the procedure with the Programme Committee has proceeded in the correct manner.
- The Programme Committee will initially be consulted on a proposed decision concerning initiating and abolishing a *degree programme*. The Works Council and Faculty Student Council will subsequently be requested to grant consent and they will, in principle, follow the advice of the Programme Committee and review only the following:
 - Whether the procedure involving the representative advisory bodies and the Programme Committee has proceeded in the correct manner (Faculty Student Council and Works Council).
 - The consequences of the proposed decision for other faculty degree programme (Faculty Student Council).
 - The consequences of the proposed decision for the staff outside the relevant department or departments (Works Council).