

University of Twente
Attn. Prof.dr. T.A.J. Toonen
Dean Faculty BMS

FACULTY OF BEHAVIOURAL, MANAGEMENT AND SOCIAL SCIENCES

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Dr. H. van der Kolk	27 November 2017	1 of 2
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SUBJECT
OLC Elections

Dear dean,

In the beginning of November 2017, we asked about the planned changes in the Faculty regulations related to the elections or appointment of the members of the Educational Boards. Last week we received a first draft of the suggested changes in these regulations. Thank you for sending us that information, which allows us to give some feedback in an early stage of the process. In a meeting on the 21st of November, we discussed the suggested changes, although many of the arguments exchanged were already brought up in the FC meeting with you and other board members in October.

In September 2017, the updated Dutch Law on Higher Education and Scientific Research came into force. In this law, the tasks and rights of Programme Committees were extended, to strengthen the position of the Programme Committees in their job to safeguard the quality of programmes. As a part of this strengthening, the Programme Committees have been granted the right of consent on the Education and Exams Regulations (EER). Because of the changes, the new Educational Committees got a dual capacity. In addition to safeguarding the quality of educational programs, they will also become part of the 'medezeggenschap' of the faculty. This is why in the new art 9.18 lid 4 WHW it is said "Artikel 9.31, derde tot en met het achtste lid, zijn van overeenkomstige toepassing op de opleidingscommissie. (...)." In the remainder of that article, it is argued that "In overleg tussen het bestuur van de opleiding onderscheidenlijk de decaan en de faculteitsraad kan in het faculteitsreglement een andere wijze van samenstelling van de opleidingscommissie worden vastgelegd dan verkiezing. Jaarlijks wordt vastgesteld of het wenselijk is de andere wijze van samenstelling te handhaven." This is a change compared to the previous regime, where the board/dean appointed the members of the OLC.

The recent changes and the role of the OLCs vis-à-vis the dean, clearly suggest that the actor responsible for the EERs (the dean) should *not* be the actor also singlehandedly responsible for appointing the OLCs. *We conclude that the suggested procedure in the faculty regulations to make the dean/the board the (only) actor making final decisions about the composition of the OLCs, is not in line with the recent changes in the law. We therefore urge you to change your position with respect to this aspect of the faculty regulations.*

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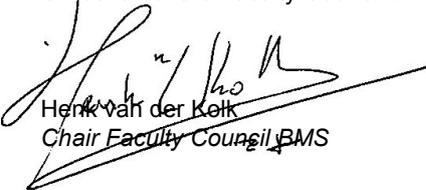
In addition to this general point, any regulation outlining the appointment of OLC members should at least contain the following elements:

- who (which students/staff members) is exactly eligible for appointment? Are external (either from within or from outside the faculty) members allowed to be part of the OLC?
- how and when can those eligible, present themselves as potential candidates? How are they to be invited, how 'open'?
- (since finding candidates is probably the main problem:) who is responsible for finding and suggesting potential candidates?
- which criteria can and should be used to select candidates, or (if outlining these specific criteria is not to be part of the faculty regulations), who will explain on the basis of which criteria candidates have been selected?
- who is exactly selecting candidates and to who is making up the final list of candidates?
- who ultimately decides who will be in the OLC? (this touches upon the first point mentioned in our advice.
- how long can staff members serve in the OLCs. (if, for example, a two times 2 years period is included, will the faculty be able to fill all positions in all OLCs?).

Although some elements are included in the current version of the faculty regulations, some are missing or formulated only vaguely. Given the importance of the future OLC we urge you formulate these aspects more clearly. For example, which students are eligible for participation in an OLC (for example, in program committees for master programs), how are staff members invited to nominate themselves, what is the exact relevance of the criteria mentioned? The faculty regulations are not a policy document, but a clear set of rules the various actors have to follow in order to ensure a proper functioning of the faculty. We therefore suggest the board to clarify the suggested rules.

Again, we very much thank to board for involving us in an early stage in the decision making about the faculty regulations. The Faculty Council very much hopes that this advice will strengthen the faculty regulations and thus the functioning of the faculty BMS.

Kind regards,
On behalf of the Faculty Council BMS,


Henk Van der Kolk
Chair Faculty Council BMS