

# TU Delft Profiling Fund Scheme 2021<sup>1</sup>

THE EXECUTIVE BOARD OF DELFT UNIVERSITY OF TECHNOLOGY

Considers it desirable that detailed rules are established regarding the provision of financial support to students of Delft University of Technology for an acknowledged delay in the progress of their studies;

that, due to various developments and new policy principles, the existing TU Delft Graduation Support Scheme (*Regeling afstudeersteun TU Delft, RAS*) should be replaced with a new scheme;

and establishes

In view of Article 7.51h of the Higher Education and Scientific Research Act;

With the consent of the Central Student Council (meeting dated 25 August 2012<sup>21</sup> and letter dated 31 August 2021, with reference GG/SR/21/08);

the following rules:

## I General section

### Article 1 Definitions

1. WHW  
The Higher Education and Scientific Research Act (*Wet op het hoger onderwijs en wetenschappelijk onderzoek*) (Bulletin of Acts and Decrees 1992, 593);
2. TU Delft  
Delft University of Technology;
3. Executive Board  
The university administration of TU Delft;
4. Student  
A student who is enrolled at TU Delft for a full-time degree programme offered by TU Delft with the aim of successfully completing the final exam of a Bachelor's or Master's degree programme and who is obliged to pay the statutory tuition fee for this or, in case of international students, the institutional tuition fee;
5. International student  
A student who does not meet the nationality requirement within the meaning of Article 2.2 of the Student Finance Act 2000 (*Wet studiefinanciering 2000*), does not hold the Surinamese nationality, and is resident in the Netherlands, Belgium, Luxembourg or one of the German federal states of North Rhine-Westphalia, Lower Saxony or Bremen;

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<sup>1</sup> On 23 May 2023, the Profiling Fund Scheme Delft University of Technology 2021 was amended: articles 25 and 27 were readopted to allow earlier payment of administrative months. The amendments have been incorporated into the text of the Regulations. Explanations of the amendments are given in italics in the explanatory notes to these Regulations.

*This is a translation of the Dutch version of the Regulations. In case of a conflict between the English and Dutch version of the Regulations, the Dutch version will prevail and will be binding.*

6. Circumstances beyond the student's control  
Exceptional circumstances within the meaning of Article 7.51, paragraph 2, parts (c) to (f) of the WHW, or as laid down by the Executive Board, in accordance with Article 7.51, paragraph 2 part (g) of the WHW;
7. Administrative activity  
An exceptional circumstance within the meaning of Article 7.51, paragraph 2, parts (a), (b) and (g) of the WHW and which is recognised as such by the Executive Board;
8. Financial assistance  
Financial assistance within the meaning of Article 7.51 of the WHW, other than the supplementary grant, which is expressed as a monthly amount;
9. Supplementary grant  
Supplementary grant within the meaning of the Student Finance Act 2000;
10. Administrative month  
Financial assistance for an administrative activity performed in an administrative or similar position;
11. Committee month  
Financial assistance for an administrative activity not performed in an administrative or similar position;
12. Full-time administrative activity  
A recognised administrative activity of 12 months performed by a full-time administrator.

## **Article 2 Scope**

This Scheme includes the conditions under which financial assistance is granted by the Executive Board to a student who is faced with exceptional circumstances, within the meaning of Article 7.51, paragraph 2 of the WHW, which have led or are expected to lead to a study delay.

## **Article 3 General conditions for acknowledgment of study delay**

Conditions for the acknowledgment of study delay due to exceptional circumstances:

- a) The student is unable to follow or complete the degree programme as a result of exceptional circumstances;
- b) the exceptional circumstances occur or have occurred in the period during which the student is or was entitled, in relation to this degree programme, to the performance-related grant for higher education within the meaning of the Student Finance Act 2000 or, in case of international students, during the nominal duration of study for which the student is enrolled at TU Delft;
- c) the exceptional circumstances have led or are expected to lead to a study delay; and
- d) the student has not been allocated any financial assistance by TU Delft or by another university or university of applied sciences in recognition of the same study delay.

## **Article 4 Decision after obtaining the advice of the Central Committee for Financial Assistance**

1. The Central Committee for Financial Assistance (*Centrale Commissie Financiële Ondersteuning, CCFO*) is responsible for offering advice to the Executive Board on the applications referred to in this Scheme, except for advice on objections challenging the decision regarding an application.
2. The Executive Board appoints the members of the CCFO and may draw up guidelines for the CCFO related to its advisory task.
3. After obtaining the advice of the CCFO, the Executive Board takes a decision regarding an application as soon as possible, but no later than eight weeks after receiving the application, unless otherwise stated in this Scheme.

## **II Circumstances beyond the student's control**

### **Article 5 Other existing facility taking precedence**

1. A student who applies for an acknowledgement of study delay must - if applicable - first use another existing facility before being entitled to claim financial assistance based on this Scheme. When allocating financial assistance, any financial compensation awarded to the student earlier based on another existing facility is taken into account.
2. In the event of study delay due to a chronic illness or disability within the meaning of Article 7.51, paragraph 2, parts (c) and (d) of the WHW, the student must have submitted a written request to DUO for the term of the performance-related grant to be extended by one year. If this request for extension is honoured, the student is not eligible for financial support for the first twelve months of study delay resulting from the special circumstances in question.

### **Article 6 Reporting and application**

1. If faced with circumstances beyond their control, the student contacts the counsellor in order to report this as soon as possible, but no later than three months after these circumstances beyond their control have occurred or are expected to occur. Subsequently, the student makes agreements with the academic counsellor regarding the progress of their studies and submits an application based on this Scheme. If the exceptional circumstances are expected to continue for a prolonged period of time, i.e. longer than six months, the possibility of terminating the enrolment is considered in consultation with the academic counsellor.
2. An application for acknowledgement of study delay due to circumstances beyond the student's control is submitted as soon as possible, but no later than three months after the occurrence of the circumstances that have caused the study delay, or after the extent of the study delay is known. The application for acknowledgement is also valid as a request for payment of financial assistance.
3. If the reporting of the circumstances or application for acknowledgement of study delay is submitted later than the aforementioned period of three months, the financial assistance is reduced by the period exceeding the three months.
4. An application for acknowledgement of study delay due to circumstances beyond the student's control is accompanied by a declaration by the academic counsellor stating that they have had discussions with the student regarding the study progress, the possibility of terminating the enrolment if the circumstances that are beyond the student's control continue for a prolonged period of time, and the extent of the study delay in relation to the degree programme. In case of medical or psychological circumstances, the application is accompanied by a declaration by, respectively, the doctor or the psychologist.

### **Article 7 Duration and amount of financial assistance**

1. If the study delay is caused by exceptional circumstances within the meaning of Article 7.51, paragraph 2, parts (c), (d) and (e) of the WHW, the financial assistance is maximised at 12 months, over the entire period of enrolment in a degree programme at TU Delft.
2. The Executive Board determines the amount of the financial assistance to be granted each year.
3. A student who receives a supplementary grant during the period of study delay, within the meaning of the Student Finance Act 2000, may, in addition to the financial assistance, apply for the supplementary grant amount to which the student is entitled, on submission of the supporting documents relating to this supplementary grant amount.

### **Article 8 Payment of financial assistance**

1. At the time of payment, the student must be enrolled in a degree programme at TU Delft.
2. The payment of financial assistance, based on circumstances beyond the student's control, occurs in monthly terms at the period of the performance-related grant, including any 12-month extension by DUO, or for international students without student financing, at the end of the nominal duration of study.

## **Chapter III Administrative activities**

### **§ 1 Recognition of association or organisation**

#### **Article 9 General requirements for recognition**

1. Financial assistance may be allocated for performing administrative activities for associations and organisations recognised by the Executive Board in accordance with the provisions laid down in this Scheme.
2. To be considered eligible for recognition, the associations and organisations must meet the following general requirements, in addition to the requirements by type of association or organisation as included in Article 10:
  - a. The activities, as evident from the purpose of the association or organisation, contribute to the academic or personal training and development of the student;
  - b. The activities do not restrict students' access to or participation in the degree programme;
  - c. The association or organisation promotes the diversity of its members or participants through the integration of minority groups and foreign students;
  - d. No unjustified distinctions are made when admitting persons as members of the association or participants in the activities;
  - e. While conducting the activities, the association or organisation safeguards the good name and reputation of TU Delft and its student community;
  - f. The activities carry no profit motive;
  - g. The range of activities offered is diverse and effective in the sense that the activities 1) promote the social involvement of the members or participants and are partly focused on the Delft community; 2) are sufficient in scope and a large number of TU Delft students participate in them; and
  - h. The association or organisation complies with the legal regulations and carries out an annual risk assessment in relation to safety. The above requirements do not apply to the representative bodies referred to in Article 10, paragraph 1 and to other associations and organisations exempted from the above requirement by the Executive Board.
  - i. The association or organisation adheres to the further agreements made with the Executive board.
3. Recognition is granted in one of the following categories:
  1. Representative Bodies (Box 1);
  2. Study Associations (Box 2);
  3. Social Clubs (Box 3);
  4. Sports and Cultural Associations (Box 4)
  5. Student Projects in Education and Research (Box 5);
  6. Interests and Other Projects/Activities (Box 6).

## **Article 10 Further requirements for recognition by category of association or organisation**

1. The following are recognised as representative bodies:
  - a. Central Student Council;
  - b. Faculty Student Council;
  - c. Boards of Studies;
  - d. student parties represented within the Central Student Council.
2. For each Bachelor's degree programme, the Executive Board may recognise one study association, which develops activities from within and based on the degree programmes and faculties of TU Delft, as well as one umbrella organisation of study associations.
3. A student association with legal entity status, other than a study association or a sports or cultural association, may be recognised as social club, if the following requirements are met:
  - a. on 1 December of the academic year preceding the academic year to which the application refers, the association has at least 75 fee-paying members, where at least 75% of the total number of members are enrolled on that date as students at TU Delft or at an institution of higher professional education;
  - b. the association has carried out activities as a student association in accordance with its statutes for at least two years; and
  - c. the membership is open to TU Delft students.

In addition, one umbrella organisation of social clubs may also be recognised.

4. Students' sports or cultural association with legal personality may be recognised if the following requirements are met:
  - a. on 1 December of the academic year preceding the academic year to which the application refers, the association has at least 50 fee-paying members who are enrolled as students at TU Delft;
  - b. the association meets the requirements stated in paragraph 3, parts b. and c.; and
  - c. the association meets the detailed requirements laid down by the Head of the Sports and Cultural Centre on behalf of the Director of Education & Student Affairs.

In addition, one umbrella organisation of sports associations may also be recognised.

5. An organisation which carries out activities within the context of a project, outside the scope of the compulsory curriculum but in line with TU Delft's primary activities, may be recognised within the category of Student Projects in Education and Research, if the following requirements are met:
  - a. the activities carried out for the project fall outside the scope of the compulsory curriculum but are in line with TU Delft's primary activities (education and research) and the student does not receive any financial compensation for these activities;
  - b. the project contributes to the student's academic development;
  - c. the project reflects particularly positively on TU Delft and its reputation; where necessary, advice may be obtained from an expert in the field of public relations and marketing, e.g. via TU Delft's Communications department;
  - d. the activities contribute to the continuity of the project and are sufficient in scope;
  - e. the activities will lead to a study delay of at least three months;
  - f. the application is submitted before the start of the activities and substantiated by a clear overview of the time to be spent;

- g. a student shall not be granted both credits and financial assistance for the same activity; here, it is important to consider whether the activities can be considered part of the degree programme and whether the student can be expected to participate actively in the project.
- 6. A student association with legal entity status other than an association within the meaning of paragraphs 2, 3 or 4 or a student organisation other than an organisation within the meaning of the paragraph 5 may be recognised under the category of Interests and Other Projects/Activities, if the Executive Board feels that the requirements as stated in paragraphs 1 to 5 are not completely met but there is question of these activities supplementing the offer of the associations and organisations, as referred to in paragraphs 1 to 5, especially if these activities:
  - a. strongly promote the diversity of members or participants through the integration of minority groups and foreign students;
  - b. particularly contribute to a diverse and effective offer, in the sense that they promote the social involvement of the members or participants and are partly focused on the Delft community; and
  - c. reflect particularly positively on TU Delft and its reputation; where necessary, advice may be obtained from an expert in the field of public relations and marketing, e.g. via TU Delft's Communications department.

In order to be eligible for recognition, the activities must be such that they lead to a study delay of at least three months.

#### **Article 11 Application and decision regarding recognition**

1. Associations or organisations referred to in Article 10, paragraphs 2,3,4 and 6, submit their application for recognition to the Executive Board before 1 January, prior to the period of the three-year cycle referred to in Article 12, accompanied by an application for the allocation of financial assistance for the coming academic year. Organisations referred to in Article 10, paragraph 5 submit their application annually before 1 January. The application is evaluated based on the conditions included in this Scheme.
2. Along with the application for recognition, the association or organisation provides the information necessary for assessing the conditions set out in Articles 9 and 10. In all cases, the following documents are submitted along with the application:
  - a. the statutes of the student association, if these are not yet in the possession of the Executive Board or if they have been revised in the intervening period;
  - b. a specification of the positions within the association, which the association believes may be entitled to the allocation of financial assistance.
  - c. the number of fee-paying members of the student association as of 1 December of the academic year preceding the academic year to which the application relates and the two academic years prior to that, if possible accompanied by an audit report or a statement issued by an administrative audit consultant; for study associations and other degree programme-related associations, the number of students enrolled in the degree programme at the university as of 1 December of the academic year preceding the academic year to which the application refers and the two academic years prior to that;
  - d. an overview of all administrative activities, subdivided into administrative and committee positions held within the association during the current academic year for that academic year;
  - e. all other information that the Executive Board considers necessary for making a proper assessment of, and issuing an advice regarding, the application. The Executive Board may determine that one or more of the parts a. to d., as referred to in this paragraph, shall not apply to a particular association or organisation.

3. The Executive Board takes a decision before 1 March regarding whether the association or organisation will be recognised and the box to which it will be assigned.

#### **Article 12 Duration and cycle of recognition**

1. The recognition of an association or organisation in categories 1 to 4 and 6 is valid for the duration of three academic years, while that for an organisation in category 5 is valid for the duration of one academic year.
2. If an association is recognised by the Executive Board for the period of three academic years within the meaning of paragraph 1 of this Article and admitted to this Scheme, this recognition shall apply for the remaining academic years of this period.

#### **Article 13 Obligations**

1. The associations and organisations must continue to meet the general requirements set out in Articles 9 and 10 throughout the period of recognition.
2. Every recognised association or organisation submits, no later than 1 January, a report of the administrative activities of the preceding academic year, including its findings in relation to the allocation of financial assistance. The Executive Board may lay down requirements for this report.

#### **Article 14 Penalties**

The Executive Board may suspend or terminate with immediate effect the recognition of an association or organisation if the association or organisation in question or a member or participant thereof behaves in a manner that is socially unacceptable or otherwise harms the good name and reputation of the University, or if there is question of a significant violation of the requirements referred to in Article 9. The penalty will apply only to actions for which the board of the association or organisation is responsible and for which it can be held liable.

### **§ 2 Distribution of administrative months and committee months**

#### **Article 15 Determining the financial assistance budget and flexible amount**

1. For each period of three academic years within the meaning of Article 12, and no later than the first of March preceding the period of three years, the Executive Board determines the total annual budget which will be available during an academic year as financial assistance for administrative activities.
2. Depending on the number of administrative or committee months to be allocated pursuant to this Scheme for an academic year, the budget is determined annually per administrative or committee month, within the limits referred to in the paragraph 3, such that the sum [number of administrative months x amount determined per administrative month] + [number of committee months x amount determined per committee month] is equal to the annual budget.
3. The amount for an administrative month is minimum EUR 255 and maximum EUR 310, while the amount for a committee month is minimum EUR 100 and maximum EUR 145.

#### **Article 16 Annual distribution**

1. In accordance with this Scheme and the approved budget, the Executive Board determines, no later than 1 April each year for the coming academic year, the distribution of the number of administrative months and committee months among the recognised associations or organisations, subdivided into categories within the meaning of Article 9, paragraph 3.
2. The Executive Board determines the administrative month and the committee month amounts for the coming academic year at the latest by 1 April.

## **Article 17 Application and annual allocation**

1. Every (recognised) association or organisation, with the exception of the representative bodies referred to in Article 10 paragraph 1, submits to the Executive Board, no later than before 1 January each year, an application for the allocation of financial assistance for the coming academic year, accompanied by a subdivision into administrative months and committee months.
2. The application must include the following:
  - a. An overview of the activities of the previous year: (financial) report for the previous year;
  - b. the number of fee-paying members of the student association as of 1 December of the academic year preceding the academic year to which the application refers and the two academic years prior to that, if possible accompanied by an audit report; for study associations and other degree programme-related associations, the number of students enrolled in the degree programme at the University as of 1 December of the academic year preceding the academic year to which the application refers and the two academic years prior to that; and
  - c. all other information that the Executive Board considers necessary for making a proper assessment of, and issuing an advice regarding, the application. Part b. does not apply to study associations. In addition, the Executive Board may determine that one or more of the parts a. to c., as referred to in this paragraph, shall not apply to a particular association or organisation.
3. As part of the application, associations or organisations may submit motivated requests to set aside a part of the to-be-allocated committee months for administrative activities in the next anniversary year. The amount of financial assistance to be reserved for this is equal to the monthly amount determined for the academic year to which the application relates.
4. The Executive Board takes a decision regarding the application no later than 1 April.
5. The Executive Board may reduce the annual allocation if the obligations under this Scheme are not complied with or if the report reveals that an insufficient number of activities have been carried out.

## **Article 18 Allocation to representative bodies (Box 1)**

Each year, the Executive Board allocates financial assistance to the representative bodies in Box 1 based on the following distribution:

- a. Central Student Council: 120 administrative months;
- b. Faculty Student Council: 72 administrative months;
- c. Boards of Studies: 1 administrative month per committee member;
- d. The student parties represented within the Central Student Council: 8 committee months.

## **Article 19 Allocation to study associations (Box 2)**

1. Depending on the number of students enrolled in the relevant degree programme as of 1 December of the academic year preceding the academic year to which the application relates and the two academic years prior to that, each year the Executive Board determines the number of administrative months and committee months to be allocated to each study association in Box 2 based on the table below.

Number of students*	Number of administrative months	Number of committee months
< 250	30	2
250-999	56	27
1000-1499	68	34
> 1500	80	35

\*Number of degree students enrolled in the related degree programme

2. Nine administrative months are allocated to the umbrella organisation of study associations.

#### **Article 20 Allocation to social clubs (Box 3)**

1. Depending on the number of fee-paying members as of 1 December of the academic year preceding the academic year to which the application relates and the two academic years prior to that, each year the Executive Board determines the number of administrative months and committee months to be allocated to each social club in Box 3 based on the table below.

Number of members**	Number of administrative months	Number of committee months
< 200	30	0
200-499	56	30
500-999	80	80
1000-1499	102	130
>1500	124	180

\*\*Number of students paying the membership fee of which at least 75% are enrolled as students at TU Delft or at an institution of higher professional education

2. Ten administrative months are allocated to the umbrella organisation of social clubs.

#### **Article 21 Allocation to sports and cultural associations (Box 4)**

1. Each year, the Executive Board determines the number of administrative months and committee months in Box 4 that can be allocated to sports and cultural associations. The allocation occurs after obtaining the advice of the Head of the Sports and Culture Centre of TU Delft and the Delft Students' Sports Foundation based on criteria established by these advisors, which have been approved by the Executive Board. The criteria are based on the number of fee-paying members and a financial compensation for the premises or for the necessary equipment for the sporting or cultural activity.
2. Nine administrative months are allocated to the umbrella organisation.

**Article 22 Allocation to student projects in education and research (Box 5)** Each year, the Executive Board determines the number of administrative months and committee months in Box 5 that can be allocated to projects. The allocation is done after obtaining the advice of the Steering Committee D:DREAM based on criteria established by the Steering Committee, which have been approved by the Executive Board. The criteria are based on the size of the project and its importance to the University and its student community.

### **Article 23 Allocation to interests and other projects/activities (Box 6)**

Each year, the Executive Board determines the number of administrative months and committee months in Box 6 that can be allocated to other associations or organisations that serve the interests of TU Delft. The number of months per association or organisation is determined by the Executive Board separately for each application, based on the scope of the activities and the number of students reached through the activities; at the same time, the maximum number of full-time administrators can also be specified.

### **Article 24 Announcement**

The announcement regarding the recognised associations or organisations and the number of administrative or committee months allocated to them is issued no later than 1 May via a notification sent to the associations or organisations and via publication on the TU Delft website.

## **§ 3 Individual application**

### **Article 25 Reporting and application for acknowledgement of study delay**

1. An application for acknowledgement of study delay is submitted by or on behalf of the student before 1 October if the administrative activity begins in the period from 1 September to 31 March, or before 1 April if the administrative activity begins in the period from 1 April to 31 August. The application for acknowledgement is also valid as a request for payment of financial assistance.
2. The Executive Board may lay down further requirements regarding the application, such as the submission of a declaration by the academic counsellor, and may also stipulate that the application must be submitted using the appropriate forms.
3. A student who receives a supplementary grant during the period of study delay within the meaning of the Student Finance Act 2000, may, in addition to the financial assistance, apply for the supplementary grant amount to which they are entitled, on submission of the supporting documents relating to this supplementary grant amount.
4. A student reports their acceptance of an administrative activity to the academic counsellor before starting with the administrative activity, if the study delay due to the performance of this administrative activity is expected to be nine months or more. The student may request assistance from the academic counsellor with their application or advice on study progress; the academic counsellor may also offer assistance to the student on their own initiative

### **Article 26 Conditions for acknowledgement of study delay due to an administrative activity**

1. The administrative activity for which the application for acknowledgement of study delay is submitted must be one that is recognised by the Executive Board and included in the application, within the meaning of Articles 11 and 17, for the allocation of financial assistance.
2. A study delay due to the performance of an administrative activity in the first year of the Bachelor's degree programme is not acknowledged, with the exception of activities as a member of the Board of Studies.
3. Allocation of financial assistance following an acknowledgement of study delay due to performance of an administrative activity is limited to a maximum of 10 months of financial assistance, with the understanding that this is limited to a maximum of 12 months of financial assistance for a full-time administrative activity and, for an acknowledgement in the second academic year, this is limited to a maximum of 4 months of financial assistance.

4. Over the entire period of enrolment in a degree programme at TU Delft, the student receives a maximum of 12 months of financial assistance. As an exception, if at least 10 administrative months have been allocated for the performance of a single administrative activity, the student may receive another 6 committee months in addition to these administrative months, if the student performs (or has performed) other administrative activities in addition to the above administrative activity.

#### **Article 27 Payment of financial assistance**

1. At the time of payment, the student must be enrolled in a degree programme at TU Delft.
2. Payment of committee months and the administrative month of the Boards of Studies and the Faculty Student Councils takes the form of a lump sum in August of the academic year in which the administrative activity is carried out.
3. For the other months of financial assistance resulting from an administrative activity, the following shall apply: an advance payment shall be made in February and payment shall be made in August of the academic year in which the administrative activity was performed.
4. Notwithstanding paragraph 3, no advance payment shall be made in the academic year 2022-2023.

### **IV Final provisions**

#### **Article 28 Hardship clause**

If, in an individual case, the implementation of this Scheme should lead to an exceptional case of extreme unfairness, the Executive Board may deviate from this Scheme in favour of the student.

#### **Article 29 Transitional Provisions**

Applications, recognition and payments relating to academic years 2020-2021 or earlier are subject to the provisions as in force until 1 September 2021.

#### **Article 30 Withdrawal of the TU Delft Profiling Fund Scheme**

The TU Delft Profiling Fund Scheme (from 2018) is withdrawn.

#### **Article 31 Entry into effect**

This Scheme enters into effect on 1 September 2021 (retrospectively).

#### **Article 32 Citation**

This Scheme is cited as the 'TU Delft Profiling Fund Scheme 2021'.

This Scheme shall also be published on the TU Delft website.

This Scheme and its publication on the website shall be reported in 'TU News', TU Delft's digital newsletter.

Thus agreed in the meeting of 7 September 2021.

Professor T.H.J.J. van der Hagen  
President

## EXPLANATION

### *General*

#### Introduction

Article 7.51 of the WHW stipulates that the university administration of a university or university of applied sciences must make arrangements for providing financial assistance to students who have or are expected to face a delay in the progress of their studies due to exceptional circumstances.

Pursuant to Article 7.51 of the WHW, financial assistance is, in essence, granted in the following exceptional circumstances:

- a) serving in an administrative position,
- b) administrative or social activities,
- c) illness or pregnancy and childbirth,
- d) a disability or chronic illness,
- e) exceptional family circumstances,
- f) an insufficiently feasible degree programme due to specific programme-related factors,
- g) other circumstances recognised as being exceptional,
- h) circumstances other than the aforementioned which, if an application for financial assistance is not accepted by the university administration, would give rise to an exceptional case of extreme unfairness.

The exceptional circumstances referred to under a) and b) are foreseen circumstances, i.e. the performance of an administrative activity such as holding an administrative position or participating in a project. The exceptional circumstances referred to under c) to f) cannot, generally speaking, be attributed to the student and may be regarded as circumstances beyond the student's control. The exceptional circumstances referred to under g) should be regarded as a residual category. Part h) is included as a hardship clause which enables the student to obtain an allocation of financial assistance based on exceptional circumstances other than those referred to in this Article.

Article 7.51h of the WHW provides that the university administration must establish procedural rules regarding the start, duration and amount of financial assistance. TU Delft implemented Article 7.51 of the WHW in 2018 by adopting the totally new TU Delft Profiling Fund Scheme, to replace the previous schemes (Rfos, RAS). This new Scheme took into account new (legal) developments and was intended to be more consistent and manageable. The Scheme, which came into effect on 1 September 2018, has a three-year cycle for acknowledgement and allocation of administrative grants. The Scheme was evaluated before the end of this cycle with regard to the administrative activities section, as well as general aspects of the implementation of the scheme and the section on circumstances beyond the student's control. This has not led to a change to the system of the Scheme, but to a number of content-related changes and clarifications to administrative implementing provisions. For clarity's sake, the three-year cycle for administrative grants and the changes are just cause for re-adopting the Scheme in its entirety for the academic years 2021-2022 to (and including) 2023-2024. The reasons for the changes are explained per article below.

Both national and international students may apply on the basis of this Scheme. However, a student who has been enrolled for longer than the nominal duration of study at TU Delft is no longer entitled to apply for financial assistance. This is explained in detail below.

### Structure and layout of the Scheme

The Scheme has a clear and well-organised structure. Chapter I contains the general section including the definitions of terms used, followed by a description of the scope in the subsequent article, as well as the general conditions for acknowledgement of study delay. Since the Executive Board takes decisions after taking into account the advice of the committee set up for this purpose, i.e. the CCFO, this committee has been referred to in Chapter I. The Executive Board may lay down certain guidelines for the CCFO in relation to its advisory task.

In the next two chapters, the acknowledgement and payment of financial assistance for study delays caused by unforeseen and foreseen exceptional circumstances are regulated separately. This contributes to the clarity of the Scheme.

Chapter II regulates the acknowledgement and payment of financial assistance for (imminent) study delay caused by circumstances beyond the student's control, i.e. unforeseen exceptional circumstances. The student must report any (imminent) circumstances that are beyond their control to the academic counsellor in a timely manner. This allows the academic counsellor to approach the student in time, in order to make the necessary agreements related to study progress and discuss the possibilities (or otherwise) of submitting an application for study delay acknowledgement. The application for study delay acknowledgement must also be submitted in time. A late report or late submission of the application for acknowledgement of study delay will have repercussions for the requested financial assistance. A student may also authorise another person to make the report or application on his or her behalf, if they are unable to do this directly owing to circumstances.

Chapter III regulates the recognition of associations and organisations and financial assistance for the performance of administrative activities. A student may only request financial assistance if there is a question of study delay due to the performance of administrative activities recognised by the Executive Board. These activities must be performed within a recognised student association or organisation. For the sake of clarity, the activities are divided by type of activity into six so-called 'boxes'. The total financial assistance for administrative activities is subject to a maximum budget. This chapter is divided into three paragraphs. Paragraph 1 regulates the conditions for recognition. Paragraph 2 regulates the way in which administrative months and committee months are distributed. Subsequently, paragraph 3 includes rules related to the individual acknowledgement of study delay and the student's request for payment.

It has been decided to follow a multi-year recognition cycle. The Executive Board's recognition of an association or organisation is valid - with the exception of Box 5 - for a period of three academic years or, in case of an interim recognition, for a part thereof. Within this cycle, the method of and criteria for distributing the administrative months and committee months among the recognised associations and organisations are also defined. This ensures predictability and continuity. However, the outcome of this distribution, i.e. the number of administrative or committee months available for each association or organisation, is determined each year.

The amount of an administrative month or a committee month is variable and depends on the number of administrative or committee months available for distribution. This amount is determined annually by the Executive Board, and is subject to an upper and lower limit.

Chapter IV contains the final provisions, such as a hardship and a transitional provision.

### *Distinction between unforeseen and foreseen circumstances, payment*

A deliberate distinction has been made between circumstances beyond the student's control (unforeseen circumstances) and administrative activities (foreseen circumstances) and this is explicitly expressed within the Scheme (see Articles 8 and 27). The reason for this is that financial assistance for administrative activities is understood by TU Delft to be a form of compensation, where the size of the amount to be allocated is determined annually and where, in contrast to the financial assistance for circumstances beyond the student's control, the duration of the interruption is established prior to the performance of the administrative activity. Moreover, this distinction warrants a different approach, in the sense that an earlier payment time is justified for a study delay due to administrative activities. As evident from the legislative history, it is self-evident that the time of payment should be linked to actual activities (House of Representatives 2008-2009, 31 821, no. 3, pg. 17).

As previously explained, study delay in the case of circumstances beyond the student's control has a different basis. Hence, in the case of circumstances beyond the student's control, it seems more reasonable to retain the basis of the payment as the end of the period on which the study load is based.

### *Article by article*

## **Chapter I**

### **Article 1**

The definitions included in the Scheme are limited to a minimum and have only been included insofar as necessary.

On the grounds of Article 7.51 paragraph 2 (g) of the WHW, the Executive Board may determine other circumstances beyond the student's control (paragraph 6).

### **Article 2**

This Article, which forms the core of the Scheme, states that the Executive Board grants financial assistance, if and insofar as a basis for this can be found in Article 7.51 of the WHW. The reference to paragraph 2 of that Article is included in order to indicate that the exceptional circumstances reported by the student must be based on Article 7.51 of the WHW. Hence, the allocation of financial assistance outside the scope of Article 7.51 of the WHW lacks a legal basis, apart from the fact that such an allocation is inconsistent with the (strict) funding rules applicable to a university.

The categories 'top athletes' and 'vertical higher professional education continuing students' deserve extra attention in this context. The first category involves students who engage in sporting activities at such a high level that their sporting performance is regarded as top-level sport based on the standards of the Olympic Support Centre (*Olympisch Steunpunt*). Although Article 7.51 of the WHW does not mention this category, it is plausible that rejection of an application for financial assistance on the basis of top-level sport would lead to an exceptional case of extreme unfairness within the meaning of Article 7.51, paragraph 2, opening lines and (h), of the WHW. In that sense, accepting an application submitted in this manner deserves consideration. In any case, an application must include a declaration from the Olympic Support Centre stating that the sporting activity engaged in by the student is regarded as top-level sport. In view of the expected, significant impact on study progress, consulting the academic counsellor in advance in this matter is highly desirable.

### **Article 3**

This Article lists the general conditions for acknowledgement of study delay.

With respect to the condition referred to in (b), the decisive element is whether the exceptional circumstance occurs or has occurred during the period in which the student is or was entitled to the performance-related grant for higher education. This condition for financial assistance is included in Article 7.51c of the WHW. Since an international student is not entitled to any student grants and loans, the period applicable to such students in the Scheme is the nominal duration of study, the first five years of enrolment in a full-time degree programme at TU Delft (three years for a Bachelor's programme and two years for a Master's, with some exceptions, for example three years for Technical Medicine).

Before the Student Loans Act (*Wet Studietoelagen*) came into force, the WHW was based on the period in which the student is or was entitled to the 'performance-related grant' for the relevant degree programme, instead of the 'performance-related grant for higher education'. This referred to the period of the interest-bearing loan which could be converted into a gift at the time of obtaining the degree which, in other words, implied a period of five years in the case of a degree programme at TU Delft. When the Student Loans Act came into force, the amendment of 'performance-related grant' to 'performance-related grant for higher education' in Article 7.51c of the WHW was intended by the legislator solely as a technical (and therefore not substantive) amendment. Hence, when interpreting this Article, the basis should be the period of five years, with the understanding that the student is or was entitled to the performance-related grant for higher education for the degree programme in question.

The condition stipulating that the circumstances leading to the study delay should have occurred during the aforementioned period must be strictly applied. Hence, an acknowledgement of study delay outside this period is not possible, under any circumstances.

The category 'vertical higher professional education continuing students' involves a different problem. This concerns students who started a degree programme at TU Delft after completing a higher professional education programme and who have subsequently experienced a delay in the progress of their studies due to exceptional circumstances. As a rule, these exceptional circumstances should have occurred after the period in which the student is or was entitled to the performance-related grant for higher education, such that it is not possible to acknowledge the study delay in question on the basis of Article 7.51 of the WHW. In view of the mandatory nature of the relevant legal provision, it is not possible to make an exception for this category, especially not since accepting such an application would undoubtedly be in contradiction to the funding rules applicable at TU Delft. Neither can an invocation of the hardship clause of the Scheme be honoured in this respect.

Part (d) regulates the situation involving a student who follows multiple degree programmes, whether or not at the same university or university of applied sciences, and who then applies for financial assistance. In this case, financial assistance for a second degree programme is possible only if no financial assistance for the same acknowledgement of delay has been received at the university or university of applied sciences where the student was first enrolled.

#### **Article 4**

At TU Delft, the CCFO has the task of advising the Executive Board with regard to the applications referred to in this Scheme. The Executive Board may lay down guidelines for the advisory task of the CCFO.

In practice, the CCFO is assisted by a few staff members who are involved in the practical implementation of the Scheme, e.g. a student counsellor or lawyer.

However, it is also possible for staff members from other disciplines to assist the CCFO. In the current practice, the Central Student Administration serves as the secretariat for the CCFO.

## Chapter II

### Article 5

This Article explicitly states that if there is another existing facility available, the student must first make use of this. This will usually involve situations in which the study delay is caused by a disability or chronic illness: the student may then request an extension of the performance-related grant due to illness etc. from DUO. The student should first submit a request to DUO in order to be eligible for the TU Delft Profiling Fund Scheme. Article 8, paragraph 2 also refers to the extension of the performance-related grant. The Profiling Fund Scheme may be used to complement an existing facility up to the total amount of the financial assistance.

### Article 6

This Article sets out the detailed conditions for acknowledgement of study delay caused by circumstances beyond the student's control.

It is important to distinguish between prompt **reporting** of the circumstances (paragraph 1) and prompt **application** for financial support (paragraph 2). Prompt reporting is essential as it is not reasonably possible to determine in retrospect, nor for the university to check this, that a delay in study progress was caused by circumstances beyond the student's control. Paragraph 1 provides that the student or an authorised agent or representative acting on behalf of the student must report circumstances beyond the student's control to the academic counsellor and discuss this with the counsellor.

Moreover, in the case of a long-term study delay, the possibility of terminating the enrolment should be discussed with the academic counsellor. In practice, an expected study delay of about six months provides a basis for examining the possibility of terminating the enrolment. Hence, a long-term study delay applies if there is a delay of about six months. However, it cannot be excluded that the circumstances of a specific case may imply that a different period needs to be taken into consideration. This may include, for example, a chronic illness or an exceptional incident which has not yet been adequately processed by the student.

In view of the above, it is also important to note that failure to contact the academic counsellor in time is a circumstance that may lead to a negative decision regarding the student's application.

This is because, as evident from the case law of the Appeals Tribunal for Higher Education (CBHO), the student's attitude has prevented a timely consideration of how the adverse impact of exceptional circumstances on their study progress might have been limited to the best extent possible. Of course, the above is also true if the student does not think it worthwhile to contact the academic counsellor at an early stage.

Pursuant to paragraph 2, an application must be submitted as soon as possible and at the latest within three months: this may be submitted within three months of a (known) delay, but also after the extent of the study delay is known, as under certain circumstances such as long-term illness, the delay may only become clear at a later stage. It is essential that the request for acknowledgement for financial support applies to delay during the term of the performance-related grant or the nominal duration of study (international students) is submitted in good time. This request also contains the request for payment, which reduces the administrative burden for both the student and the organisation

Pursuant to paragraph 3, the duration of the financial assistance is reduced in case of a late reporting or application.

Paragraph 4 states that a declaration must come from a doctor or psychologist, and not necessarily a student doctor or university psychologist. It goes without saying that they must be included in the Individual Healthcare Professionals (BIG) Register.

### **Article 7**

The financial assistance is limited to a maximum period of 12 months over the entire enrolment period. An extension of this period may be requested only in exceptional situations, based on the hardship clause. The Executive Board determines the amount of the financial assistance to be allocated. If the student receives a supplementary grant from the Education Executive Agency (DUO), they may request an additional financial compensation in addition to the financial assistance. The student must attach supporting documents to the application demonstrating that a supplementary grant will be received during the period of study delay and the amount of this grant.

### **Article 8**

This Article regulates the payment of financial assistance during circumstances beyond the student's control. Article 27 arranges the payment of administrative months and committee months. This has also been discussed under the general explanation section.

The extension of the performance-related grant by DUO is arranged in Article 5. Nominal duration of study for international students is explained in Article 3: for the Bachelor's degree programme 36 months for the Master's degree programme 24 months.

## **Chapter III**

Chapter III contains provisions relating to the administrative activities. Paragraphs 1 and 2 relate to the collective nature of the applicants: the recognition of associations and organisations or how the funds are allocated among the associations and organisations in the form of months of financial assistance. Paragraph 3 indicates how and under what conditions an individual student may apply for financial assistance for administrative activities.

As indicated under the general explanation section, a three-year recognition cycle applies for associations and organisations, and an annual allocation based on the available budget, broken down by association or organisation, with a subdivision between administrative months and committee months.

## **§ 1 Recognition of association or organisation**

### **Article 9**

The general requirements to be met by each association or organisation are extensive in scope, particularly the provisions aimed at emphasising the diversity of administrative activities on offer (parts c. and g.). In addition, they also stress that the association or organisation must protect the good name and reputation of TU Delft and the student community (part e.). If an association or organisation does not meet these requirements in advance, it shall not be recognised. Even after being recognised, the association or organisation must continue to meet the requirements, see Article 13; failure to comply with this obligation may result in a penalty, see Articles 14 and 17, paragraph 5. The requirement of conducting an annual risk assessment is not applicable to the representative bodies and in addition, the Executive Board may exempt a particular association or organisation from this requirement, e.g. smaller associations or limited activities within an organisation.

In paragraph 2, part (i) for the sake of clarity the addition has been made that associations or organisations must keep to the agreements made between the associations or organisations and TU Delft.

Paragraph 3 divides the associations or organisations into six categories or 'boxes', so that further requirements can be imposed per category (Article 11) and a specific system of distributing the months can be applied (see § 2). Previously, there were five categories. The previous box for 'Interests and Other' has been split up into a separate box for representative bodies, since a fixed number of months is allocated to this category and they are not required to meet all the requirements laid down in this Scheme. Box 6 is a separate category 'Other', which offers greater scope than before for new and innovative administrative activities, which may be complementary to the activities offered in the other boxes. In particular, there is increased scope for organisations that focus on the diversity of the participating students and promote the integration of minority groups. This is in line with the aforementioned general requirements for diversity, which are applicable to all applicants.

### **Article 10**

This Article contains the more detailed requirements per applicant category (association or organisation). The following offers a brief explanation:

According to paragraph 1, student parties that supply candidates for the representative bodies are also granted financial assistance, although only for committee months (see Article 18).

According to paragraphs 2, 3, and 4, financial assistance may also be granted, per association category, to an umbrella organisation in the relevant area.

Paragraph 2 states explicitly that this refers to study associations for the Bachelor's degree programmes. Master's fraternities/associations may be allocated committee months: see the explanation for Article 19.

Paragraph 5 concerns category 5, the earlier box for 'Student Projects'. The name of the box has been changed to include 'Education and Research' in order to distinguish these projects from other projects of a more general nature in Box 6.

According to paragraph 6, the category 'Interests and Other Projects/Activities' (Box 6) includes interest groups that do not fall under Box 1 (e.g. those from the earlier Box 5: Delft Student Union (VSSD), Yes Delft), and activities that do not fit into the other boxes but complement the existing offer, such as the committee that organises the welcoming week (Owee) at TU Delft. It may also include new initiatives aimed at e.g. minority groups or international students.

### **Article 11**

Representative bodies do not have to apply for recognition. Recognition for the organisations in Boxes 2, 3, 4 and 6 is granted for three academic years, for the organisations in Box 5 it is granted annually (see Article 12) and the application hereto must be submitted well in advance, prior to the start of the three-year cycle or the year in question (i.e. before 1 January). The information to be submitted with the application is specified. The Executive Board may request more information in certain cases, but it may reduce the information requirement for specific associations or organisations, e.g. the Welcoming Week Committee (*Owee-commissie*) and smaller associations or projects that are just starting up. A statement of the number of members over the last three years is requested, to reduce the effect of fluctuations in the membership and hence, in the number of months to be allocated.

The application for allocation of financial assistance is also submitted at the same time as the application for recognition. The conditions for this are set out in Article 17. In the event of the three-year cycle, if the recognition is granted, only an application for allocation of financial assistance is required to be submitted in next two years.

#### **Article 12**

An essential point of the new Scheme is the recognition cycle of three academic years. Interim applications are possible, but recognition is granted only for remaining academic years. Only student projects in education and research (Box 5) shall be recognised annually.

#### **Article 13**

The obligations imposed on recognised associations or organisations are both content related, i.e. they must continue to meet the previously established requirements, and administrative in nature, i.e. a proper report must be delivered with regard to the activities for which financial assistance is granted. The Executive Board may specify a format for this purpose.

#### **Article 14**

This Article grants the authority to impose a heavy penalty: suspension or withdrawal of the recognition. The Executive Board attaches great importance to the good name of the University and therefore deems it necessary to have such a penalty in reserve.

If there is question of a minor violation of the rules, such as an imputable failure to comply with the obligations or the performance of fewer activities than previously indicated, the less serious penalty option, as referred to in Article 17, paragraph 5, may be applied, i.e. a reduction in the number of months.

### **§ 2 Allocation of administrative months and committee months**

#### **Article 15**

During the three-year cycle, the annual budget remains the same per academic year for administrative months and committee months. The budget is formed by adding: - the number of administrative months to be allocated in a year multiplied by the amount determined for that year per administrative month AND  
- the number of committee months to be allocated in a year multiplied by the amount determined for that year per committee month.

Since the number of administrative or committee months to be allocated may vary due to the recognition of new associations, organisations or projects, or because of an increase or decrease in the number of members, the monthly amount may also vary accordingly. This ensures that new initiatives can be included in the Scheme, without this having any direct budgetary implications. This has no major implications for existing associations and organisations, in view of the large number of months allocated in each of the boxes and the fact that redistribution of the monthly amount will spread out the amount over all six boxes: the monthly amount will be reduced by a few Euros, if a few more months are allocated as compared to the previous year.

Paragraph 3 specifies a minimum and maximum monthly amount as a safeguard against excessively large fluctuations in the amount per administrative member or committee member. These limits are not expected to be exceeded, considering the current numbers of administrative months and committee months. Should that be the case, i.e. if the minimum amount is reached due to an (excessively) large increase in the number of months to be allocated, then the budget will be exceeded. In the even-less-conceivable scenario of considerably fewer months being allocated, the maximum amount ensures that no disproportionately large amounts are paid per position (administration or committee).

The amounts in paragraph 3 for an administrative month and a committee month are corrected for inflation after three years.

### **Article 16**

Article 16 outlines the general budget system for three years. Based on this, there is an annual distribution of the number of administrative months and committee months, subdivided into six boxes. A decision is taken regarding the recognition no later than 1 March and the distribution is decided no later than 1 April. The administrative month and committee month amounts will be published almost simultaneously, in view of the application for allocation submitted by the associations and organisations and the requirement to reach a decision no later than 1 April.

### **Article 17**

Article 17 regulates the application for and granting of recognition for the three-year cycle as well as the initial application for the allocation of months. Pursuant to Article 17, recognition must be annually 'confirmed': the recognised association or organisation must submit an annual application for the actual allocation of months. After all, the number of months may change in the case of new entrants, change in the number of members in existing associations, and also in case of intermediate penalties in the form of a reduction in the number of months to be allocated to an applicant (paragraph 5). The necessary information must be submitted; as in the case of Article 11, this obligation may be mitigated for smaller associations or projects, or e.g. the Welcoming Week Committee. For anniversary year activities, committee months may be reserved on request and claimed in the next anniversary year. This implies that an expiry period applies to this reservation.

### **Articles 18-23**

Each Article indicates the allocation to applicants by category (box). Compared to the 2018 scheme, cap of the number of full-timers per association (12 months of financial assistance) has been dropped. It is up to the associations to make a fair and honest division of the administrative months available. For the associations and organisations in Box 6 it has now been determined that a maximum number of committee members may be set.

The following is a brief explanation for each box:

1. For representative bodies (Article 18), a fixed number of months is allocated per incumbent. Only committee months are allocated to parties active within the Central Student Council.
2. For study associations (Article 19), the allocation is determined based on the number of members in each graduated scale. The number of members is determined based on an average number of members over three academic years. In addition, months are also allocated to the umbrella organisation (Council of Study Associations, SVR). The number of committee months for study associations has been raised with effect from 2021. For each study association two committee months are available for a confidential contact. A part of the committee months allocated to the Bachelor's programme should be assigned to the committees of the Master's fraternities/associations. The dean indicates which allocation is used per department in their faculty.
3. For social clubs (Article 20), the allocation is also determined based on the number of members in each graduated scale. Here too, the number of members is determined based on an average number of members over three academic years. In addition, months are allocated to the umbrella organisation (Council of Student Associations (VeRa)). There is no longer question of a 'fixed rate' for having an association building or cafeteria. However, this is almost entirely compensated for by the initial and further levels of the graduated scale. Allocation based on buildings, cafeterias or turnover is not considered justified in all cases and is more difficult to enforce than just the criterion of the number of members.

4. Sports and cultural associations (Article 21) are subject to a different regime: as far as possible, the existing system of distribution within the Sports and Culture Centre with assistance from the Delft Students' Sports Foundation (SSD) has been retained. Months are also allocated to the umbrella sporting organisation SSD.

5. The system of allocation to student projects (Article 22) remains unchanged. The Executive Board has wide discretionary powers in determining the allocation per project and will take the advice of the Steering Committee D:DREAM for this, since it has a good overview of the current projects.

6. In case of Box 6 'Other' (Article 23), the Executive Board also has wide discretionary powers in determining the allocation per association, project or organisation. The maximum number of full-time administrators per applicant may also be specified by the Executive Board. This ensures that there is room for both existing interests and activities as well as for new associations/initiatives aimed at e.g. minority groups or international students.

#### **Article 24**

This Article concerns the publication, via the website, of the names of the recognised associations or organisations and the administrative or committee months allocated to them. This was previously referred to as the 'Guarantee Month List'.

### **§ 2 Individual application**

#### **Article 25**

This Article describes the procedure to be followed for reporting the study delay and for submitting an application for study delay acknowledgement. The deadline for this procedure depends on the period in which the student starts performing the administrative activity.

The student's reporting of an administrative activity lasting nine months or longer to the academic counsellor (paragraph 1) is a matter of good order. No follow-up action is specifically necessary, but if desired the student may request assistance or advice from the academic counsellor, or the latter may also offer this unasked.

#### **Article 26**

Performing an administrative activity is of great importance for the future career of the student and is therefore encouraged by TU Delft as much as possible. Nevertheless, an administrative position should never be accepted too lightly; this is ultimately the responsibility of the student. The performance of administrative activities in the first academic year is not recognised.

An exception to this is made for membership of a Board of Studies, where it is desirable to have first-year student members. The extent of the delay here is limited to 1 month, so that no significant study delay is anticipated.

In accordance with paragraph 3, a student may receive a maximum of 10 months of financial assistance (administrative or committee months) in order to perform an administrative activity, where the financial assistance in the second academic year is limited to a maximum of 4 months. An exception will be made for a student performing a full-time administrative activity, where this student may receive a maximum of 12 months of financial assistance from the third academic year onwards. In total, throughout the period of enrolment, a student can never receive more than 12 months of financial assistance.

An exception will be made for a student who has performed a single administrative activity for which at least 10 administrative months have been allocated; this student may, in addition to these administrative months, also receive a maximum of six committee months, if they perform (or have performed) other administrative activities.

#### **Article 27**

This Article regulates the time of payment of the financial assistance; the corresponding article covering circumstances beyond the student's control is Article 8. The Article states that the financial assistance for a study delay due to the performance of an administrative activity may be paid at the end of the academic year, in monthly instalments. At the time of payment, the student must be enrolled in a degree programme. This has also been discussed under the general explanation section.

In practice, it is found that the payment of financial assistance in the form of monthly instalments results in a considerable administrative burden. For this reason, it has been decided that the committee months, which generally involve a limited allocation, may be paid in a lump sum. The student's obligation to be enrolled in a degree programme at TU Delft at the time of payment remains unchanged.

#### ***Explanatory note 2023 amendment to articles 25 and 27***

*Administrative months are paid out retrospectively (after the period of the administrative activity) under the Profiling fund Scheme 2021. At the suggestion of the Central Student Council, it was decided to have Profiling Fund administrative months paid out partly during the academic year. According to the regulations, earlier payment is possible. In the Profiling Fund Scheme explanatory notes (general section, page 14), this is stated as follows:*

*"... financial assistance for administrative activities is understood by TU Delft to be a form of compensation (...)" and "As evident from the legislative history, it is self-evident that the time of payment should be linked to actual activities."*

*Given the implementation, earlier payment is also possible, although that monthly payment is administratively too burdensome. A system of paying out twice a year is feasible, which will be set up as follows by amending Article 27:*

- *Payment in two instalments (advance payment in February and payment in August), which includes all students with reserved administrative months, regardless of the number of recognised months. This is regulated in paragraph 3. If the statement is submitted by the association after 1 December, payment in its entirety takes place in August.*
- *The advance payment takes place in February; this does not yet apply to the current academic year 2022-2023 (paragraph 4).*
- *Payment of committee months in August instead of September. This ensures that students do not have to re-enrol for the following academic year. This is regulated in Article 27, par. 2, Profiling Fund Schema. This also applies to the single administrative month of Board of Studies and Faculty Student Councils.*

*Reporting an administrative activity of 9 months or more to the academic counsellor is no longer mandatory; this was expressed in paragraph 1 of Article 25, but in practice this obligation was not enforced. Now that this obligation has been dropped, the first paragraph has been moved to the fourth paragraph, making the article as a whole more readable.*

#### **Chapter IV**

**Article 28**

The Scheme is a generally binding regulation based on Article 7.51 of the WHW. Needless to say, the Executive Board is obliged to comply with and observe the provisions of the Scheme. From this perspective, it would no longer be possible to deviate from the Scheme even if the application thereof should lead to a disproportionate level of hardship or, as the Scheme indicates, an exceptional case of extreme unfairness. For such cases, the hardship clause provides an option of deviating from the content of the Scheme while still arriving at a fair solution.

The text and scope of the Article indicate that invocation of the hardship clause is only required to be honoured in very specific cases.

Otherwise, the hardship clause does not allow deviations from legal provisions of an imperative nature, such as those included in the WHW and the Student Finance Act 2000 (*WSF 2000*). The Executive Board must comply with these provisions without prejudice and therefore offers no scope for deciding otherwise (see e.g. CHBO 28 May 2004, no. CBHO 2003/067) in this matter.

With respect to the above, it should be noted that Article 7.51, paragraph 2, opening lines and (h) of the WHW also include a hardship clause. This hardship clause offers the possibility of obtaining an allocation of financial assistance by claiming exceptional circumstances other than those referred to in Article 7.51 of the WHW.

**Article 29**

Article 29 governs the transitional provisions and provides that applications relating to academic years 2021-2022 or earlier fall under the TU Delft Profiling Fund Scheme 2018.

**Article 30**

This Article regulates the withdrawal of the TU Delft Graduation Support Scheme. The Appendix dealing with recognition and distribution will be withdrawn one academic year earlier. This is because these applications relate to a subsequent academic year.

**Article 31**

This Article specifies the date on which this Scheme actually enters into effect: 1 September 2021.

**Article 32**

This Article specifies the way in which this Scheme is to be cited elsewhere.