

STUDENT CHARTER

AS DEFINED IN ARTICLE 24g OF THE SECONDARY EDUCATION ACT
AND WHERE APPLICABLE AS DEFINED IN ARTICLE 13f OF THE PRIMARY
EDUCATION ACT

for the Esprit schools

Amsterdam, January 2012

FOREWORD

The student charter ensures that students (and their parents) know what is expected of them at school and that they know what they can expect of the school, the teachers and their co-students. It is right that the school and teachers know what rules they can expect students to obey. And that they are aware of matters about which they can be called to account by students. For everyone at school it is imperative that these rights and obligations of students are not arbitrary, but have been approved. This is the reason for this student charter.

This student charter is about all students at all Esprit schools. Naturally, some articles may apply exclusively or be more applicable to one group of students, while other articles apply to everyone. The Executive Board wants to emphasise the cohesion of the Esprit Group of Schools by approving a single student charter.

This student charter was approved by the Executive Board of the Esprit Association of Schools on 16 January 2012.

I GENERAL PROVISIONS

ARTICLE 1. DEFINITIONS

In this student charter, the following definitions apply

1. Group of Schools: the Esprit schools under the administration of the Esprit Association of Schools.
2. Competent authority: the Esprit Association of Schools; on its behalf, the Executive Board.
3. Students: all students who are registered with one of the Esprit schools and who have been placed at one of the schools.
4. Parents: the parents, guardians or carers of the students.
5. Teachers: staff members with a teaching task.
6. Educational support staff: staff members with a task other than teaching.
7. Section: students, parents, staff members or management.
8. School principal: the principal of the school or organizational unit.
9. School management team: the school principal and vice-principal, or as the case may be, the deputy principal, team leaders and department heads of the school or organizational unit.
10. Joint Participation Council: the council as defined in article 4 of the Participation in School Decision-Making Act (WMS),
11. Participation Council: the council as defined in article 3 of the Participation in School Decision-Making Act (WMS),
12. Student council: a council, formed by students and comprised of students, as defined in article 3 of the WMS.
13. Participation Charter and participation procedures: the procedures as defined in article 22 of the WMS and in article 23 of the WMS.
14. WVO: Secondary Education Act.
15. WPO: Primary Education Act
16. WMS: Participation in School Decision-Making Act
17. School plan, school prospectus and complaints procedures: school documents as defined in articles 24, 24a and 24b of the WVO.
18. Inspector: the inspector who is responsible for supervising secondary education as defined in article 113 of the WVO.

ARTICLE 2. STUDENT CHARTER

1. This student charter records the rights and obligations of students who are registered with Esprit schools and also contains the ensuing instructions to the other sections and to the Executive Board.
2. The charter is binding for all sections, with due regard to the provisions in the joint participation regulations and the statutory provisions.

3. Once every two years the Executive Board records the rights and obligations of students in a student charter. Interim amendments can be made to the student charter. The Executive Board shall put every amendment to this charter before the Joint Participation Council.
4. The Joint Participation Council discusses whether a revision of the student charter is desirable or necessary at least three months before the duration of its validity lapses. If this is not the case, the validity of the student charter is automatically extended for one year.
5. The school principal ensures that everyone who is bound by this student charter is aware of its existence and its contents. The student charter is placed, for inspection purposes, where it can easily be accessed by students and teachers, starting with Esprit's website. A copy will be provided upon request.

II FUNDAMENTAL RIGHTS

ARTICLE 3. RIGHT TO INFORMATION

1. The Executive Board ensures that, upon registration, students and their parents are provided with general information about the school's goal, syllabus, its working method, the admission requirements, the duration of courses, as well as about other matters that are of direct relevance to students.
2. All students are informed about the student charter and can obtain a copy if so desired.
3. The Executive Board ensures that a copy of the school plan, the school prospectus, the complaints procedures, the timetable, participation procedures and other procedures that are relevant to students are available, for inspection purposes, to all students, at freely accessible locations.
4. The school management team grants students an opportunity of asking questions relating to how students function within the school.

ARTICLE 4. RIGHT OF PRIVACY

1. A student register is kept at the school in which only the following details of students will be recorded:
 - name;
 - place and date of birth;
 - date of registration and date of termination of registration;
 - parents' name and address;
 - time at which a student leaves the school and the reason for his/her departure;
 - details on study progress;
 - address upon leaving school;
 - details about a student's physical constitution and learning disabilities;
 - details that are indispensable for how the school functions.

2. For the inclusion of other details than those cited in paragraph 1, the Executive Board has established procedures in consultation with the Joint Participation Council.
3. The school principal is responsible for the student register.
4. The school principal appoints a member of the education support staff who is responsible for managing the student register on a daily basis.
5. The student register is only accessible to:
 - the student concerned and, if he/she is a minor, his/her parents;
 - the school management team;
 - staff members designated by the school management team;
 - the Executive Board;
 - the inspector;
- persons designated for this purpose with a view to financial audit.

ARTICLE 5. FREEDOM OF ASSEMBLY

1. Students are free to hold meetings about matters relating to school routine and to this end they can make use of the establishment's facilities. In consultation with the school management team, agreements will be made about the time and location of meetings.
2. In consultation with the school management team, others will be admitted to the meeting if this is deemed acceptable by the majority of students in attendance.
3. The school management team will provide a location for the meetings of students, taking into account the school's actual facilities, on the condition that in the event of any damage those responsible will reimburse the costs of repairing that damage.
4. The students are obliged to use, and leave behind, a location that has been provided in an appropriate fashion.

ARTICLE 6. FREEDOM OF EXPRESSION

1. Everyone is free to express his/her opinion while at school.
2. Everyone shall refrain from using discriminatory and/or racist language or behaviour.
3. A notice board exists where notices and posters of a non-commercial nature can be placed by the student council, the school magazine editors and any student committees.
4. The school management team has the right, following consultation, to remove notices or posters.

ARTICLE 7. FREEDOM OF APPEARANCE

1. Everyone has the right to freedom of appearance in accordance with current standards in society in the Netherlands.

2. The school may only establish clothing regulations when clothes need to fulfil certain efficiency and/or safety requirements.
3. Within the framework of promoting safety, students may not wear face-covering clothing.

ARTICLE 8. RIGHT OF PARTICIPATION

1. The Executive Board promotes the realisation of a student council at the school.
2. The student council is competent to issue advice, when asked and on its own initiative, particularly about student-related matters, to the Joint Participation Council, the Participation Council or the student advisory committee. The student council can also issue the school management team and/or the Executive Board with advice, when asked and on its own initiative.
3. The student council can ask the relevant Participation Council to inform the Executive Board about written advice as defined in the second paragraph, first sentence. Within six weeks, the Executive Board must provide the relevant Participation Council with a response, providing grounds, which the Participation Council must then pass on to the student council.
4. The various Participation Councils have various consent and advisory authorities, as regulated in the school's participation regulations or in the WMS. The parent/student section has a special right of consent for a number of special participation matters, as regulated for primary education in article 13 of the WMS and for secondary education in article 14 of the WMS:

The following is a brief summary of the rights as described in articles 13 and 14 of the act:

Right of consent of the parents/students section of the Participation Council

13 a/14.2a	terminating, limiting, extending activities of the school, cooperation with another institution on an educational project/experiment, setting up a central service
13 b/14.2b	fundamental principles of the school
13 c/14.2c	parents' contribution
13 d/14.3c	students' facilities
13 e/14.2e	parent-student charter
13 f	care arrangements during breaks
13 g/14.1a	school prospectus
13 h/14,1c	school hours
13 i/214.2f	procedures for registering personal details of parents and students
13 j/14.1b	activities outside school hours
13 k/14.2g	competent authority's information to parents
13 l/14.2h	procedures on facilities for participation
14.2d	school and school book fees

See the act for the exact authorities!

5. Activities of the student council may take place during school hours if no alternative is possible and with the approval of the school management team.
6. The Executive Board provides the student council with a budget to cover necessary costs that ensue from the tasks and functions of the student council within the framework of participation.
7. The school management team provides a reasonable supply of printing facilities, equipment and other materials free of charge for activities of the student council.
8. Members of the student council shall not in any way be prejudiced in their position at school based on their membership of this council.

III EDUCATION

ARTICLE 9. ADMISSION AND PROMOTION

1. The Executive Board decides on the admission of a the student and can establish an admissions committee that exercises this authority under its responsibility, this being in accordance with that which is stipulated in the Secondary Education (Organization of Teaching) Decree and also within the framework of current regional agreements.
2. Admission to the first school year may not be conditional.
3. The standards a student must fulfil in order to be admitted to a higher school year must be clearly indicated.
4. Conditional promotion to the next school year is explicitly stated in the final report. In addition, parents are informed of this in writing, indicating the time at which the definitive decision about promotion will be made, as well as the conditions that have to be fulfilled in order to achieve this promotion. This moment is between 1 October and 1 January of the following year.
5. A student will not be conditionally promoted to the highest school year.
6. The staff meeting or a specific meeting decides, depending on the specified division of tasks, on the admission of students to the following study year and advises on the subsequent course of a student's schooling. The student is informed about the advice issued.

ARTICLE 10. COSTS OF EDUCATION

1. Admission may not depend on any other contribution than that which is stipulated by or pursuant to the law.
2. Admission to an EN course of study and the IB pilot depends on the payment of a contribution based on an agreement between the parents/students and the school.
3. Students, or their parents, are only obliged to purchase learning aids if these materials are necessary for the curriculum.
4. The Executive Board ensures that the costs of these materials are kept to a minimum.
5. In very special circumstances, the Executive Board can make arrangements for students and parents who can demonstrate having financial reasons for being unable to pay for the learning aids or certain educational activities that involve expenses (project weeks, excursions and suchlike).

ARTICLE 11. EDUCATIONAL CONTENT

1. Students have a right to teachers making every effort to provide effective education including appropriate guidance. This is about such matters as:
 - meeting - and taking into account - a student's future possibilities, skills and level of knowledge;
 - a reasonable division of subject matter over the lessons;
 - a good presentation and clear explanation of subject matter;
 - working towards a required target level;
 - choosing suitable school books;
 - harmonization between homework set and subject matter dealt with in lessons.
2. If a student or group of students feels that a teacher is not fulfilling his task adequately, the student(s) and/or his/her (their) representative(s) can discuss this with the school management team.
3. The school management team will provide the student(s) with a response to the complaint within three school days.
4. Students are obliged to make every effort to ensure that their education follows a smooth course. This relates both to their own active participation in lessons and to refraining from disturbing co-students during lessons.
5. The Executive Board is obliged by law to record in the school plan the form that the educational process will take (articles 24 and 24c of the WVO).
7. The Executive Board is obliged by law to record information given to parents and students in a school prospectus as defined in articles 24a and 24c of the WVO.

ARTICLE 12. HOMEWORK

1. Students are obliged to complete homework they have been given.

2. The school management team ensures that the total amount of homework set for students - including projects - does not represent an unreasonable burden on students.
3. The homework is given, as far as possible, spread over the week and over the school year.
4. Students have a right to discuss homework that has been corrected by their teachers.
5. Students are given an opportunity of completing homework in accordance with the current rules of the establishment.

ARTICLE 13. TESTING AND ASSESSMENT

1. Testing students' progress can take place in various ways, such as:
 - a. tests (verbal and/or written);
 - b. test papers;
 - c. projects;
 - d. presentations.
2. A practice test is intended only to provide students and their teacher with insight into the degree to which students have understood, completed or learnt the subject matter. A practice test can be given without warning. Marks for practice tests do not count for the report.
3. From the first school day it must be clear how marks for tests, test papers and projects are used to establish a report mark. A clear indication should also be given of how a mark for an unexpected test and/or presentation will count for the report.
4. A test relates to the subject matter of a lesson or a number of lessons and can be administered without advance warning.
5. Before an unannounced test is administered, the students are entitled to a short period during which they can ask the teacher questions about the subject matter of the test.
6. An assignment is announced at least five school days in advance, with a full summary of the subject matter that must be learnt. In classes with a classroom register, tests will be entered into the classroom register.
7. In principle, a student who is placed in the First Reception or First Phase of Secondary Education may be given no more than one test paper and one written test per school day. In principle, a student placed in the Second Phase of Secondary Education may be given two test papers per school day. In the event of re-sits, departures from this rule are allowable.
8. A test paper may only contain subject matter which was dealt with during lessons and which was set at least once as homework. A reasonable balance must exist between that subject matter and the test paper.
9. The form test papers take must be clear.
10. The teacher must announce (or arrange for the announcement of) the results of a test paper or test within seven school days.

11. A test paper is always discussed retrospectively during a lesson.
12. A test that builds on an earlier test paper or test may only be administered if the previous test paper or test has been discussed and the marks have been disclosed.
13. A student is entitled to inspect a test he/she has made.
14. A student who did not participate in a test, and who had a reason for non-participation that is acceptable to the teacher or school management team, is entitled to as yet take the test. To this end, such a student must act in accordance with the school's current absenteeism policy.
15. If a test does not take place due to the teacher's unexpected absence or illness, the class or group concerned will be informed, on behalf of the school management team, of the new test date.
16. A mark may only be given on the grounds of a student's performance, unless the student is caught engaged in any form of fraud: in that case a mark 1 will be given as a sanction. A mark 1 can be given for failure to submit work, but only to a student if unacceptably punitive consequences would apply to the lack of one assessment and after the intercession of the teachers involved in the report meeting.
17. If the completion of projects is a part of the curriculum and counts towards a report mark, students must be clearly informed in advance about the standards a project must meet, when it must be completed and what will happen if it is not submitted or too late.
18. If holding presentations is a part of the curriculum and counts towards a report mark, students must be clearly informed in advance about the standards a presentation must meet, when it must be held and what will happen if the student fails to hold the presentation.
19. Every department approves two-yearly arrangements, per establishment, for how report marks will be determined for their own department. The idea behind these arrangements is that a report mark is based on more than a single test moment. These arrangements can include how the department deals with arriving at a report mark in the absence of written work by a student who has not provided the teacher and the school management team with an acceptable reason for not participating in one or more tests.
20. This approval should take place within six months after the student charter was approved and it subsequently becomes an integral part of the student charter.
21. A rapport provides a student with a summary of his achievements for all subjects during a given period. The rapport is sent to the student and the parents are also acquainted with its contents.

ARTICLE 14. SCHOOL EXAMINATION AND NATIONAL EXAMINATION

1. The Executive Board has, where applicable, approved Esprit Examination Regulations. The regulations include general and specific provisions about the

- organization of - and procedures pertaining to - the leaving examination, comprised of the school examination and the national examination. Furthermore, the regulations describe measures in the event of irregularities and include regulations for the composition and address of the Appeals Committee.
2. The Executive Board approves, where applicable, per school and before 1 October, a leaving examination programme. The programme indicates at least which subjects of the examination programme will be tested in the school examination, the division of the examination syllabus over school examination tests, how the school examination will be administered and rules indicating how a mark is arrived at for a student's school examination.
 3. The school principal sends the examination regulations and the leaving examination programme, before 1 October, to the inspector and to the candidates.
 4. Before the start of the national examination, the school principal informs the student in writing which marks he/she has earned for the school examination in subjects in which he/she also plans to take the national examination.

IV DAILY COURSE OF AFFAIRS AT SCHOOL

ARTICLE 15. ATTENDANCE

1. If a student is unable to attend school, the school shall be informed of this on the same day by the parents or, if the student lives alone, by the student him/herself.
2. If the reason for non-attendance is not due to illness or the fulfilment of obligations relating to religion or beliefs, leave of absence must be requested (possibly retrospectively) from the school management team.
3. The school management team is competent to grant leave due to "other consequential circumstances"" as long as no more than 10 days per school year are involved. The approval of the school attendance officer must be requested when more than 10 days' leave are involved.

ARTICLE 16. CANCELLATION OF LESSONS

1. The schools do their utmost to limit the cancellation of lessons and unscheduled hours.
2. When lessons are cancelled as a consequence of the absence of teachers, students are informed as soon as possible.

3. The Executive Board records in the school plan which measures will be taken to avoid the cancellation of lessons as a consequence of national examinations, internal examinations, test papers, report meetings, excursions and sports days.
4. Students have the right to expect some form of supervision at school in the event that teachers are absent.

ARTICLE 17. SCHOOL ACTIVITIES INTENDED AS REPLACEMENT OF LESSONS AND SCHOOL ACTIVITIES THAT ARE UNRELATED TO LESSONS

1. School activities that replace lessons are defined as including: activities with obligatory participation (that may take place outside the school building), whose nature and extent is such that they can be deemed as replacing normal lessons and which involve both students and teachers. Policy relating to these activities is included in the school prospectus and/or school plan.
2. School activities that are unrelated to lessons are defined as including: activities involving voluntary participation, that take place outside school hours subject to the responsibility of the staff, and which take place inside and outside the school building.
3. The school activities described under paragraphs 1 and 2 may be organized by the school management team or the teachers, whether or not in collaboration with parents and/or students.
4. Students are entitled to sufficient guidance during school activities that are unrelated to lessons.
5. The school management team provides, after consultation, locations for school activities that are unrelated to lessons, which are organized by students and provides sufficient supervision according to the school's actual capacity.

ARTICLE 18. ORDER AND BEHAVIOURAL RULES

Rights

1. The students, staff and all persons in the school treat one another with mutual respect, both inside and outside the school building, during activities that take place inside and outside the school. Social standards that apply in the Netherlands will be observed in contact with one another and with third parties. Social standards that apply in the Netherlands form the point of departure.
2. The students and staff have the right to call one another to account and ensure their compliance with rules that apply to them in and around the school (including school-specific "house rules").
3. Students are entitled to equal treatment in equal situations.
4. Students have the right to suggest proposals or to report to the school management team on all matters relating to their position within the school.
5. Students can spend breaks, free hours and unscheduled hours due to cancelled lessons in the locations designated for this purpose by the school management team.

6. Students have a right to physical care amenities (e.g. visits to the toilet).

Obligations

1. Everyone is obliged to contribute to a safe school climate.
2. The students and staff should behave appropriately both inside and outside the school; both in words and in gestures. Social standards that apply in the Netherlands form the point of departure. Everyone shall refrain from intimidation, sexual harassment, discrimination, bullying, aggression and the use of violence.
3. Students are obliged to observe the rules of the school and to accept that they can be called to account by employees of the establishment and furthermore they will cooperate in (preventive) measures relating to safety and order in and around the school.
4. If a teacher feels that a student is disrupting the progress of a lesson, that student may be obliged to vacate the classroom; he/she should subsequently attend the detention arrangements that apply to that establishment.
5. Everyone is obliged to leave behind locations they have used in a tidy state.
6. Furthermore, house rules apply for each individual school, in any case the following rules specifically relating to order and behaviour:
 - In Esprit school buildings and during the hours that Esprit organizes schooling, rules apply to the use of electronic means of communication such as mobile telephones, MP3 players etc. These rules have been drawn up per school.
 - being under the influence of drugs and the use and/or possession of drugs at school and during activities organized by Esprit is forbidden.
 - Being under the influence of alcohol and the use and/or possession of alcohol at school and during activities organized by Esprit is forbidden. This ban may be temporarily lifted for special reasons with the approval of the school management team (for instance, during the festive awarding of diplomas and suchlike).

ARTICLE 19. DAMAGE

1. The liability of students for any damage they cause is subject to the applicable provisions of the Civil Code.
2. Parents of a student who causes damage will be informed about the matter by or on behalf of the school.
3. The school management team will take disciplinary measures against a student who intentionally damages the school building, property of the school or the property of third parties (including teaching staff and students).

V DISCIPLINARY AND EDUCATIONAL MEASURES

ARTICLE 20. MEASURES

1. Measures can be taken in response to actions of students that are contrary to the rules and regulations that apply in and around the school. For details see Esprit's regulations on disciplinary and educational measures.
2. A relationship must exist between the nature of the measure imposed and the violation for which the measure was imposed. A reasonable relationship must also exist between the severity of the measure and the violation.
3. The following measures can be imposed in school:
 - a. a warning
 - b. written work, e.g., during detention
 - c. exclusion from attending part of a lesson or certain lessons for a short period of time
 - d. reporting before and after school hours
 - e. catching up on missed lessons
 - f. suspension
 - g.1 transferring a student to a different Esprit establishment with a similar department
 - g.2 transferring a student to an internal or external time-out facility such as the internal "school careers centre" for individual guidance, care and/or work employment-related skills - or an interschool facility such as "the Transferium"
 - h.* permanent expulsion

* In view of the paragraphs on professionalism, quality and care in the "Education Manifest of the Esprit Group of Schools 2008-2012" and the set "quality framework for desired educational quality Esprit-SG", the measure "permanent expulsion" will only be taken after a transfer has been implemented to an internal or external time-out project, unless this has proved to be impossible.

A student can submit an objection to the school management team against the imposition of a measure as described under a to e inclusive.

A student can submit an objection to the Executive Board against the imposition of a measure as described under f, g and h.

ARTICLE 21. SUSPENSION

1. The Executive Board can suspend a student, giving reasons, for a maximum period of one week.

2. The student concerned will be informed in writing about a decision to suspend him/her, and if he/she is not yet 21 years of age, so will the parents of the student concerned.
3. The Executive Board informs the inspector in writing, citing reasons, about a suspension for a period longer than one day.

ARTICLE 22. PERMANENT EXPULSION

1. The Executive Board can decide to expel a student permanently after the student and, if the student is not yet 18 years of age, his parents have been given the opportunity to be heard on the matter.
2. A student may not be expelled during the course of a school year on the grounds of insufficient progress.
3. The permanent expulsion of a student who is still of school-age only takes place after consultation with the inspector. The Executive Board can suspend the student pending this consultation. The consultation serves in part to examine what other options for attending education are available for the student concerned.
4. The Executive Board informs the inspector in writing, citing reasons, about a permanent expulsion.
5. The student concerned is informed in writing about permanent expulsion, citing reasons, and if he/she is not yet 21 years of age, the parents are also informed. The possibility of requesting a review of the decision within six weeks should also be mentioned.

ARTICLE 23. DECISION-MAKING PERIOD FOR OBJECTIONS

1. Interested parties can submit an objection to the Executive Board within six weeks after notification.
2. In accordance with article 27 of the WVO, the Executive Board decides within four weeks of receiving a letter of objection, though not before a student and the parents in the case of a student younger than 18 years of age have been given the opportunity of being heard and have been given access to the advice or report relating to that decision.
3. The Executive Board can deny the student access to the school pending processing of an objection against permanent expulsion from the school.

VI JUDICIAL PROTECTION

ARTICLE 24. RIGHT OF COMPLAINT

See the current complaints procedures and the appropriate explanatory text. The explanatory text, which is an integral part of the complaints procedures, includes a passage indicating that a complaint can only be submitted to the Complaints Committee if no other options are available to the person. After all, the majority of complaints about how things are run within schools will be dealt with efficiently and in joint consultation between a pupil, the staff and the school management team. However, if this is not possible due to the nature of a complaint, or if a person feels a complaint was not dealt with satisfactorily, that person can take advantage of these complaints procedures. Complaints could be about the guidance of pupils, the use of punitive measures, the assessment of pupils, how the school is organized, sexual harassment, discriminating behaviour, aggression, violence and bullying.

A person wanting to lodge a complaint can approach the contact of any Esprit school, who can then refer the complainant to the confidential advisor. Esprit has an (external) confidential advisor who acts as point of contact in the event of a complaint.

VII ESCAPE CLAUSE

ARTICLE 25

In cases not covered by this charter, the school principal will decide in the spirit of the charter.

VIII TRANSITION CLAUSE

ARTICLE 26

The entry into force of this charter causes all existing student charters in the group of schools to lapse.

NAMES AND ADDRESSES IN CONNECTION WITH THE RIGHT OF COMPLAINT AND THE RIGHT OF OBJECTION.

Reference is hereby made to the complaints procedures approved by the Executive Board - complaints could relate, for example, to the guidance of students, measures imposed, the

assessment of students, sexual harassment, discriminating behaviour, aggression, violence and bullying - which contains the names of the (internal) contacts and the external confidential advisor.

Names, addresses and contact details are supplied on Esprit's website.

Esprit's Executive Board
and the Leaving Examination Appeals
Committee:

c/o:
The Executive Board of the Esprit
Association of Schools
Burg. Hogguerstraat 2A,
1064 EB Amsterdam.
Tel.: 020 5854811
Fax: 020 5854824

Address of the Complaints Committee:

National Complaints Committee
c/o: P.O. Box 85191,
3508 AD Utrecht.