

General house rules for the maintenance of public order at Maastricht University

Regulations on the use of university buildings, grounds and other facilities

The Executive Board of Maastricht University (UM) is, pursuant to Article 7.57h of the Dutch Higher Education and Research Act (WHW), authorised to establish rules and disciplinary measures relating to the maintenance of public order in UM buildings and on university grounds. These rules and disciplinary measures are laid down in the present General house rules for the maintenance of public order UM (hereinafter: the house rules).

Students and external students who violate the house rules may be denied access to UM buildings and grounds in whole or in part (temporarily or permanently) or their registration may be terminated (temporarily or permanently), by virtue of article 7.57h of the Higher education and Research Act (WHW).

Persons who have a registration at UM or entered into an internship agreement, admission agreement, a professor's agreement or a hospitality agreement with UM do not fall within the scope of the definition of a student or employee as laid down in these house rules. Therefore, they have been placed in a separate category, namely 'persons affiliated with UM'. They are subject to these house rules as applicable to students.

The present house rules also include measures against third parties. Access to UM buildings, grounds or facilities may be denied to these third parties. In this respect, the Executive Board acts as administrator of the university, pursuant to Article 5:1 of the Dutch Civil Code and Article 9.2 of the WHW. In such case, there is no decision within the meaning of the General Administrative Law Act, as a result of which the decision to deny access to a third party is not subject to appeal.

Employees are bound by the rules laid down in the collective agreement and therefore not explicitly included in these House Rules.

These regulations do not affect the authority of the Executive Board or the head of the administrative unit responsible for certain buildings or grounds (or a staff member designated by the head of the unit) to establish specific rules and measures for those buildings or grounds.

Definitions

Dean	the chair of a UM Faculty Board and head of the faculty administrative unit as referred to in Article 6.3 of the UM Administration and Management Regulations (BBRUM).
Third party	a natural person who is not a student, an employee or a person affiliated with UM.
Director	the head of a UM service centre or the Maastricht University Office, these being centralised administrative units as referred to in Article 6.7 of the BBRUM.
Employee	a natural person who holds a permanent or temporary employment contract at UM.
House rules	the present General house rules for the maintenance of public order at Maastricht University.

Person affiliated with UM a person not being a student or an employee, who has a registration at UM or has entered into an internship agreement, admission agreement, a professor's agreement, a secondment agreement, a payrolling construction or a hospitality agreement with UM.

Student a current, prospective or former student enrolled at UM; a current, prospective or former external student at UM, a current, prospective or former exchange student or a current, prospective or former non-degree-seeking student at UM.

A reference in these house rules to 'he' or 'him' shall be interpreted to include reference to 'she' or 'her' and 'they', 'them' or 'their'.

Article 1 Usage

1. A student, a person affiliated with UM and/or a third party who is present in the buildings or on grounds of UM and/or who uses other UM facilities must use them in accordance with their intended purpose, and in doing so must comply with the applicable rules and regulations, as well as with any instructions issued by or on behalf of the Executive Board. These include regulations, codes of conduct, the Student Charter, etc. adopted by the UM. A student, a person affiliated with UM and/or a third party must behave in such a way that they:
 - a) avoid causing any direct or indirect loss or significant nuisance to UM or to its employees, students, persons affiliated with UM or third parties using UM's buildings, grounds or other facilities;
 - b) avoid infringing on any rights of UM or its employees, students, persons affiliated with UM or third parties using UM's buildings, grounds or other facilities;
 - c) avoid infringing on any rules of law or any unwritten rules of law pertaining to proper social conduct.
2. The rules, regulations and instructions as referred to in the first paragraph can be laid down on behalf of the Executive Board by the dean, the director or an employee designated by the dean/director.
3. Where these house rules state that the dean or the director may exercise a power on behalf of the Executive Board, the Executive Board may also exercise this power on its own behalf.

Article 2 Instructions

1. Any person who uses UM's buildings, grounds or other facilities must comply immediately with any instruction issued by or on behalf of the Executive Board related to the provisions in Article 1.
2. An instruction as referred to in the first paragraph may be issued on behalf of the Executive Board by the dean, the director or an employee designated by the dean/director.

Article 3 Measures relating to students

1. If a student or person affiliated with UM acts in contravention of the provisions of Article 1 or fails to immediately comply with an instruction as referred to in Article 2, the dean or the director, acting on behalf of the Executive Board, may issue the student with a warning.
2. The dean or the director may, on behalf of the Executive Board, refuse a student or a person affiliated with UM access to UM's buildings, grounds or facilities in whole or in part and/or terminate the student's enrolment for a period of up to 1 year, if a student or a person affiliated with UM acts contrary to the provisions of Article 1 or does not immediately comply with an instruction as referred to in Article 2. If a measure lasting longer than 6 months is being considered, the Executive Board must be consulted beforehand.
3. If a student or a person affiliated with UM causes serious nuisance within the buildings or grounds of UM as a result of a violation of Article 1 and does not cease this nuisance even after being issued with a warning by or on behalf of the Executive Board, then the Executive Board (at the request of the dean/the director or otherwise) may, permanently deny the student or a person affiliated with UM access to UM and/or terminate his/her enrolment, pursuant to Article 7.57h paragraph 2 of the WHW, respectively terminate his/her registration or agreement..
4. A decision as referred to in paragraphs 1 to 3 inclusive will be communicated in writing to the student or person affiliated with UM and added to the student's file respectively personnel file.
5. A decision as referred to paragraphs 1 to 3 inclusive will not be taken until the student or person affiliated with UM in question has been given the opportunity to be heard.
6. If a student or a person affiliated with UM acts contrary to the provisions of Article 1 or does not immediately comply with an instruction as referred to in Article 2, and there is a case of urgency or a matter of significant concern, a temporary measure may be imposed verbally by the dean or the director on behalf of the Executive Board in the form of total or partial denial of access to buildings, grounds or facilities of the UM, without a prior hearing of the student or the person affiliated with UM,. The maximum duration of this temporary measure is 14 days.
7. If, in taking a measure as referred to in paragraphs 1 to 3 inclusive, the urgent nature of the situation or the matter of significant concern meant that the student or the person affiliated with UM was not heard before the measure was imposed, the dean or the director shall, on behalf of the Executive Board, give the student or the person affiliated with UM the opportunity to be heard as soon as possible after the measure is imposed, but in any case within two weeks if there is an intention to take a subsequent decision as referred to in paragraphs 1 to 3.

Article 4 Measures relating to third parties

1. The dean, the director or the building manager designated by the dean/director may, on behalf of the Executive Board, refuse access by a third party to UM's buildings, grounds or facilities in whole or in part if this third party acts or continues to act in contravention of the provisions of Article 1 or fails to immediately comply with the instructions as referred to in Article 2. Depending on the severity of the act, the measure taken may apply for a fixed or indefinite period.

2. Insofar as possible, an act as referred to in paragraph 1 will be communicated in writing to the third party in question.

Article 5 Decisions and objections

1. The decisions referred to Article 3 and 4 shall be accompanied by the rationale on which the decision was based.
2. The decisions referred to in Article 3 shall draw attention to the option of filing an objection with the Executive Board.

Article 6 Date of commencement

These regulations shall come into force the day after they are adopted by the Executive Board, thereby superseding the general rules for the maintenance of public order at Maastricht University adopted on June 27th, 2019.

Adopted by the UM Executive Board on January 19th, 2021 following an advice from the student delegation of the University Council on December 16th, 2020.