

# De (zorg)plicht roept



Waar heb jij je deze week zorgen om gemaakt?



# Wat gaan we doen?

- Aanleiding van de workshop
- Rechtszaak; achtergrond
- Break-out rooms a.d.h.v. casuïstiek
- Plenaire terugkoppeling
- Afsluiting



# Zorgen maken over / om



# “duidelijke” kaders

## Responsibilities of Study Advisers and Students BBI

between start of the course and graduation

In the table below you will find what student and study adviser can expect from each other. Study advisers are happy to help you if you encounter course-related problems or problems with studying in general, but they expect you to show initiative too. Take a good look at this file, so you know what you can do yourself and what your study adviser can do for you. The following is a summary of the things that student and study adviser can expect from each other.

If you have any questions, you can ask Tessa Holleman ([office.biologie@wur.nl](mailto:office.biologie@wur.nl)) or your study adviser.

For more tips and information you can also have a look at [Biologyportal.wur.nl](http://Biologyportal.wur.nl)

Subject	Student	Study Adviser
Information from the study programme	<p>Have a regular look at the information present on the website (see address in the right-hand column).</p> <p>Make use of the opportunities to receive information by attending the meetings that are organised.</p> <p>Make use of the email address offered by Wageningen University and read the emails from your study programme.</p>	<p>Offering up-to-date information about the programme via the website.</p> <p>Biologyportal.wur.nl</p> <p>Organising plenary meetings that offer general information about different phases of the study programme.</p> <p>Keeping in contact with individual students with emails to their WUR email address (such as a newsletter with important information).</p>
Functional limitations	If you know you have a special need that could affect your studies (dyslexia, an autistic spectrum disorder, a physical disability, etc.), contact your study adviser early on.	Supporting the student in this situation and referring them to the Student Counselling Service.
Problems/questions related to studying	<p>Take the initiative to inform your study adviser if things are not working out as planned, if you feel you are not challenged enough or if you have any questions.</p> <p>If any study delays occur that are beyond your control (illness, a family bereavement), contact your study adviser as soon as possible.</p>	<p>Giving advice to the student on study-related problems and answering questions in person or via email, if possible.</p> <p>Referring student to the Student Counselling Service (doctor, student counsellor or student psychologist), if necessary.</p>

Supporting students	<p>Respond to requests for a meeting with the study adviser.</p> <p>Take the initiative to inform your study adviser if things are not working out as planned, if you feel you are not challenged enough or if you have any questions.</p>	<p>At various moments during their studies inviting individual BBI students for a meeting.</p> <p>Monitoring individual students' progress, i.e. checking their credits and marks regularly, with respect to their personal situation.</p> <p>Meeting with the student to help them get a handle on improving their study success.</p> <p>Giving study tips to the student, and if necessary referring them to the Student Counselling Service.</p>
Meeting with the study adviser	<p>Make sure you are well prepared for the meeting:</p> <ul style="list-style-type: none"> <li>- what do you want to achieve / what is the problem?</li> <li>- what is the current situation?</li> <li>- what do you expect or would you like to know from your study adviser?</li> </ul>	Giving advice to the student on study-related problems/questions, in person or via email.
Planning resits	Figure out what still needs to be done for each course (exam or practical) in order to finish it and decide how much time you need per course. Find out when you can <u>resit</u> each of them.	Assisting in working out a feasible plan for the resits.
Subs about choice of study programme	If you are having doubts about your choice of study programme, contact your study adviser.	<p>Explaining about the Biology programme.</p> <p>Thinking together with the student about ways to find a new study programme.</p> <p>Giving an overview of which formalities the student has to take care of in order to quit the programme.</p>
Study plan	<ol style="list-style-type: none"> <li>1. Find out when the courses you want to do are taught.</li> <li>2. Draw up your own plan (which you can present to your study adviser).</li> <li>3. Check each year whether the courses are still taught at the same time as the year before.</li> </ol>	Checking whether the student's study plan is feasible and together think about possible adjustments.





# “duidelijke kaders”

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At various moments during their studies **inviting** individual BBI students for a meeting.

**Monitoring** individual students' progress, i.e. **checking** their credits and marks regularly, with respect to their personal situation.

**Meeting** with the student to **help** them get a handle on improving their study success.

Giving study tips to the student, and if necessary **referring** them to the Student Counselling Service.

**Giving advice** to the student on study-related problems/questions, in person or via email.

Disappointing results	Respond to requests for a meeting with the study adviser.	
	Take the initiative to inform study adviser if things are working out as planned, if you are not challenged enough or if you have any questions.	
Meeting with the study adviser	Make sure you are well prepared for the meeting.	
	- what do you want to achieve? - what is the problem? - what is the current situation? - what do you expect or would you like to know from your study adviser?	
Planning rests	Figure out what still needs to be done for each course (exam or practical) in order to finish it and decide how much time you need per course. Find out when you can <b>rest</b> each of them.	Assisting in working out a feasible plan for the rests.
Doubts about choice of study programme	If you are having doubts about your choice of study programme, contact your study adviser.	<p>Explaining about the Biology programme.</p> <p>Thinking together with the student about ways to find a new study programme.</p> <p>Giving an overview of which formalises the student has to take care of in order to quit the programme.</p>
Study plan	<ol style="list-style-type: none"> <li>Find out when the courses you want to do are taught.</li> <li>Draw up your own plan (which you can present to your study adviser).</li> <li>Check each year whether the courses are still taught at the same time as the year before.</li> </ol>	Checking whether the student's study plan is feasible and together think about possible adjustments.



# Rechtszaak: student vs. onderwijsinstelling



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Rechtbank oordeelt dat de onderwijsinstelling zorgplicht heeft geschonden.



# Situatieschets

**Sept. 2005**

Start studie

**Juni 2007**

Propedeuse behaald

**Sept. 2008**

Student informeert mentor

Af en toe nog contact

Schrijft zich jaarlijks opnieuw in

Volgt nauwelijks onderwijs

**Aug. 2013**

Moeder belt opleiding

**Aug. 2013**

Student schrijft zich uit

Behaalde studiepunten:

2005-2006	50
2006-2007	40
2007-2008	5
2008-2009	9
2009-2010	6
2010-2013	2

# Overwegingen rechtbank

- Definitie zorgplicht niet eenduidig
  - “Hoever de zorgplicht van een onderwijsinstelling precies strekt, is afhankelijk van de **omstandigheden** van het geval, zoals bijvoorbeeld het type onderwijs dat gegeven wordt en de leeftijd van de leerlingen/studenten. De betreffende zorgplicht is, zoals partijen erkennen, te kwalificeren als een **inspanningsverplichting**”

# Overwegingen rechtbank

- Definitie zorgplicht niet eenduidig
- Redelijk bekwaam en redelijk handelend
  - “ van een redelijk bekwame en redelijk handelende onderwijsinstelling mag in een dergelijke situatie verwacht worden dat deze **actief contact** zoekt met de student om de studievoortgang te bespreken en deze daarover en over een –al dan niet tijdelijke- beëindiging van de opleiding te **adviseren**.....
  - “...reguliere uitnodigingen die aan student gestuurd zouden zijn, zijn wat dit betreft onvoldoende...”

# Overwegingen rechtbank

- Definitie zorgplicht niet eenduidig
- Redelijk bekwaam en redelijk handelend
- Zelfredzaamheid en zelfstandigheid
  - “...in onderhavige geval slaagt het beroep op deze zelfstandigheid niet, nu er vanwege de psychische problemen sprake was van een **bijzondere situatie**”

# Uitspraak

- Zorgplicht geschonden
- Onderwijsinstelling had moeten ingrijpen
- Schadevergoeding collegegeld





# Ons eigen handelen onder de loep

- Eye opener
- Protocol studievoorgangcheck aangepast
  - Signaleringswaarde aangepast
    - I.p.v. <75% totaal gehaald, nu <30 ects dit jaar gehaald
  - Communicatiemiddelen en frequentie
  - Extra alert bij bekende (psychische) problemen



# Wur breed

- Taskforce Zorgplicht
- Commissie zorgplicht....
- Student journey
- Producten



# Wur producten

## Student Guidance: find your way

### Looking for support: How to go about it?

Please feel free to contact the student dean, psychologist or confidential adviser directly. When in doubt, always contact your study adviser first.



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# HELP, my student needs help!

## Guidelines for teachers



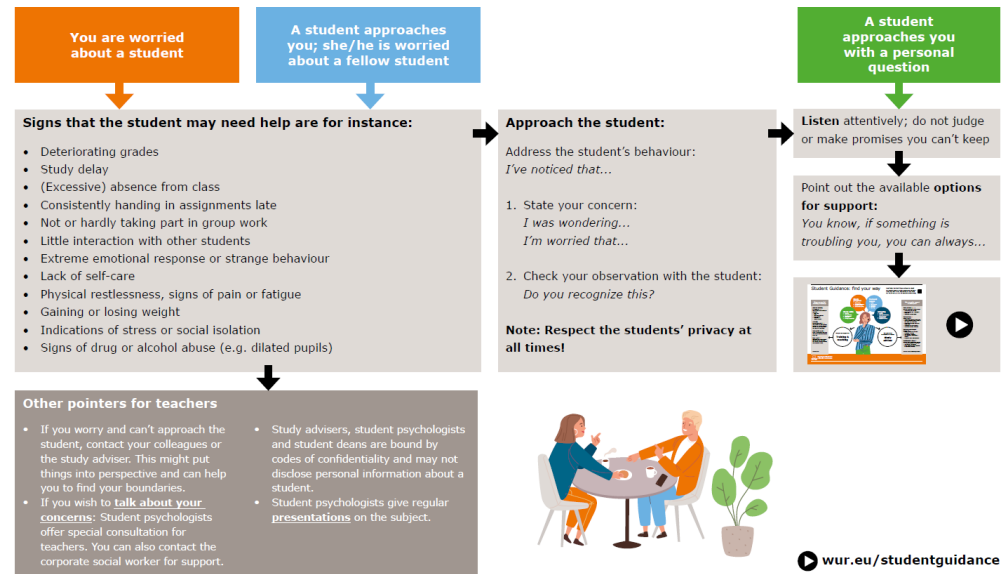
### What to do when a student needs help

As a teacher you are in close contact with students: you follow their study progress and guide them towards optimal results.

A student may approach you with questions of a more personal nature. Or you might notice a student is struggling in a different way. Perhaps you, or someone else, get worried. These guidelines can help you to determine your role and to make sure the student receives adequate support.

### General Tips

- If you are not certain how to best help the student, refer the student to the study adviser.
- Stay within your role as a teacher; be clear about what you can and cannot do for the student.
- Don't try to become a caretaker.
- Stay away from labels: rather describe what you see or notice.
- Cultural factors can influence how students express themselves and how they perceive offers of help.



# Met elkaar in gesprek

- Aan de hand van een casus (worden gedeeld in chat)
- Praat over de volgende vragen:
  - Wat is hier de verantwoordelijkheid van de
    - student?
    - studieadviseur?
    - onderwijsinstelling?
  - Waar zitten voor jou knelpunten?
  - Hoe gaan jullie hier aan jou onderwijsinstelling/ opleiding mee om?
- **Actie:** Maak de uitkomsten/high lights van jullie gesprek visueel op een ppt slide



# Terugkoppeling gesprekken





# Take home message

Ga naar [menti.com](https://menti.com)

Gebruik code XXXXXX



Hartelijk dank voor jullie deelname

TAKE   
CARE

