



# Regulation 2 on derogations in teaching and continuing education as a consequence of the measures to fight the Coronavirus (Corona Regulations 2 L-WB)<sup>1</sup>

*The University Board of Bern University of Applied Sciences,*

*based on Article 33 Paragraph 1 letters n and o of the law from 19 June 2003 regarding the Bern University of Applied Sciences (FaG)<sup>2</sup> and Article 62 of the Ordinance of 5 May 2004 regarding the Bern University of Applied Sciences (FaV)<sup>3</sup>*

*hereby decrees:*

## 1. Subject matter and scope

**Art. 1** <sup>1</sup> These regulations make arrangements for the consecutive degree programmes as well as the continuing education degree programmes and courses at the Bern University of Applied Sciences as a result of the measures taken by the federal and the cantonal government to fight the COVID-19 pandemic. They

- a* regulate deviations from current decrees of the Bern University of Applied Sciences and
- b* authorize those responsible to deviate from the applicable legal bases such as study and examination regulations, curriculums and module descriptions, as far and as long as these deviations are appropriate, necessary and proportionate.

<sup>2</sup> The deviations serve the orderly execution and continuation of courses and competency assessments. They are intended to keep the negative effects on the course of study for the students as low as possible.

## 2. Content of teaching

**Art. 2** Adjustments based on these regulations must not alter the competence requirements for the obtainment of assessments, diplomas and ECTS credits. Content that cannot be taught has to be compensated in an appropriate manner.

<sup>1</sup> This document is a translation. The German or French version shall prevail.

<sup>2</sup> BSG 435.411.

<sup>3</sup> BSG 436.811.

### 3. Courses

Form

**Art. 3** <sup>1</sup> Changes may concern particularly the form of courses as well as temporal and coordinative elements. They must be put in writing in advance, and the students concerned must be notified.

<sup>2</sup> All students must be treated equally, and the legal system must be complied with.

<sup>3</sup> Third-party rights must be respected. With regard to copyright, this means especially that the use of protected works by others without their explicit permission is allowed only within the closed circle of the class (password protected). The teacher responsible instructs the students on whether copies and recordings may be made and passed on. Any declaration of consent must be obtained beforehand.

Postponement and cancellation

**Art. 4** <sup>1</sup> Should the conduct of courses be impossible, courses or parts thereof can be postponed to the lecture-free period or to subsequent semesters. BFH will aim for optimal co-ordination so that the progress of studies is not disturbed.

<sup>2</sup> Should the conduct of courses be impossible, optional modules can be cancelled. Compulsory and compulsory-elective modules cannot be cancelled.

<sup>3</sup> Continuing education programmes and courses can be cancelled or discontinued regardless of the possibility of implementation. Tuition fees will be refunded. If ECTS credits have already been granted, the refund will be made proportionally.

Responsibility

**Art. 5** <sup>1</sup> The head of a degree programme, assisted by the person responsible for the module, is in charge of implementing measures according to this chapter and is entitled to issue directions accordingly.

<sup>2</sup> The head of teaching or continuing education, the head of the relevant division as well as the head of department can at any time request information on the measures taken or planned and issue binding instructions.

### 4. Competency assessments

Form and conduct of competency assessment

**Art. 6** <sup>1</sup> Deviations in the proof of competencies may concern particularly the form of the competency assessments as well as scheduling and coordinative elements. They must be put in writing in advance, and the students concerned must be notified.

<sup>2</sup> Should the conduct of competency assessments be impossible, they must be postponed or their durations prolonged. In the case of student projects, a new or adapted project can also be requested.



Insufficient competency assessment

**Art. 7** <sup>1</sup> Insufficient competency assessments, with the exception of Bachelors and Masters theses, will not be counted one time only against the possible number of resits if either the teaching of the module (or of the learning unit) tested or the form of the competency assessment deviated from the module description, and the students have not been informed of the deviations two weeks after the start of the course at the latest. If the module cannot be completed with a sufficient overall assessment for the reasons cited, the full module can be repeated one additional time.

<sup>2</sup> Paragraph 1 does not apply in case of absence from the competency assessment or of not completing the competency assessment without good cause as set out in Article 22 of the framework Regulations of 7 July 2005 for Competency Assessment at Bern University of Applied Sciences (KNR) or in case of insufficient competence assessment due to the use of dishonest means, as set out in Article 23 KNR.

Responsibility

**Art. 8** <sup>1</sup> The head of a degree programme, assisted by the person responsible for the module, is responsible for implementing measures according to Article 6 and is entitled to issue directions accordingly.

<sup>2</sup> The head of teaching or continuing education, the head of the relevant division as well as the head of department can request at any time information on the measures taken or planned and issue binding instructions.

## 5. Leave of absence and withdrawal

Bachelors and Master's degree programmes

**Art. 9** <sup>1</sup> Students in bachelors and master's degree programmes can be granted a leave of absence or exmatriculated on request, if

- a* they were drafted into military service, medical or comparable assignments, exceptional care responsibilities on account of the coronavirus pandemic, or
- b* the majority of the courses have been postponed or cancelled.

<sup>2</sup> Applications must be submitted by March 31 at the latest for the spring semester and by September 30 for the fall semester using the appropriate form.

<sup>3</sup> Leaves of absence according to Paragraph 1 will not be counted against the maximum number of leaves according to Article 53 Paragraph 2 of the Charter of 14 February 2019 of Bern University of Applied Sciences (Fachhochschulstatut, FaSt).

<sup>4</sup> If the reasons listed in paragraph 1 can only be given after the expiry of the indicated time limit, subsequent deregistration from modules can be granted. Additionally, in cases of hardship a waiving of the fees can be granted upon request by the head of department.



Continuing education degree programmes and courses

**Art. 10** <sup>1</sup> For continuing education degree programmes and courses, withdrawal from enrolment, withdrawal from or suspension of studies is possible within 2 weeks of changed modalities of conduct or reasons as set out in Article 9 Paragraph 1 becoming known according to Article 15 of the regulations on continuing education at Bern University of Applied Sciences of 11 June 2020.

<sup>2</sup> In case of withdrawal or suspension, study fees will be reimbursed. In the case of already acquired ECTS credits reimbursement takes place on a pro rata basis.

## 6. Admission

**Art. 11** Articles 6 and 8 apply analogously to entrance examinations and aptitude tests.

## 7. Special cases

**Art. 12** The President rules in cases which are not or not sufficiently covered by these regulations or any other legal bases of BFH or which could lead to objectionable circumstances.

## 8. Final provisions

Repeal of a decree

**Art. 13** The regulations of 26 March 2020 on derogations in teaching and continuing education as a consequence of the measures to fight the Coronavirus (Corona Regulations L-WB) shall be repealed.

Entry into force

**Art. 14** These regulations enter into force as of 1 August 2020.

Bern, 23 July 2020

Bern, 14 August 2020

Bern University of Applied Sciences

Department of Education and Culture of the  
Canton of Bern

University Board

Markus Ruprecht, President

Christine Häslar, State Councillor