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## **Regulations relating to suitability assessment in higher education**

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## **Regulations concerning suitability assessment in higher education**

Established by the Ministry of Education and Research on 30 June 2006 pursuant to section 4-10, sixth paragraph, of the Act of 1 April 2005 no. 15 relating to Universities and University Colleges

### **Section 1. *Scope***

Pursuant to Regulations of 7 October 2005 no. 1109 concerning which programmes of study are to be subject to suitability assessment pursuant to section 4-10 of the Act relating to Universities and University Colleges, suitability assessment is to take place in connection with the following study programmes:

1. pre-school teacher
2. general teacher
3. subject teacher
4. vocational teacher
5. 1-year programme in educational theory and practice
6. audiologist
7. child welfare officer
8. bioengineer
9. occupational therapist
10. pharmacist (including dispensing technician)
11. physiotherapist
12. midwife
13. clinical nutritionist

14. medicine
15. optician
16. orthopaedic engineer
17. psychologist
18. radiographer
19. social worker
20. nursing
21. dentist
22. dental hygienist
23. dental technician
24. social educator

### **Section 2.** *Suitability assessment/definition*

There is to be a continuous assessment of all the students throughout the study programme and it is to be incorporated in a comprehensive assessment of the student's academic and personal qualifications for work as a teacher or as a health or social care worker. A student posing a potential danger to the lives, physical and mental health, rights and safety of kindergarten children and pupils or patients, clients and users, is not suitable for the profession.

If there are grounds to doubt that a student is suitable, a special suitability assessment is required. The provisions of the Public Administration Act are applicable in special suitability assessment cases.

### **Section 3.** *Assessment criteria for study programmes within teacher education*

Criteria to be used when assessing the suitability of a student for the study programmes mentioned in section 1 nos. 1 to 5 are:

- a) the student shows a lack of willingness or ability for care and managing the learning processes of children and young people in accordance with the objectives and guidelines for the activities of kindergartens and schools
- b) the student shows a lack of willingness or ability to be aware of what is happening in a group of children or a class and, based on this awareness, to create an environment that takes into account the safety and physical and mental health of children and young people
- c) the student neglects his/her responsibility as a role model for children and young people in accordance with the objectives and guidelines for the activities of kindergartens and schools
- d) the student shows a lack of willingness or ability to communicate and cooperate with children, young people and adults
- e) the student has problems of a nature that seriously compromises his/her functions towards his/her surroundings
- f) the student shows too little self-insight regarding tasks in teacher education and his/her future professional role
- g) the student shows a lack of willingness or ability to change unacceptable behaviour in accordance with guidance

### **Section 4.** *Assessment criteria within health and social care subjects*

The criteria to be used when assessing the suitability of a student for the study programmes mentioned in section 1 nos. 6 to 24 are:

- a) the student shows a lack of willingness or ability for care, understanding and respect for patients, clients or users
- b) the student shows a lack of willingness or ability to cooperate and to establish relationships of trust and communicate with patients, clients, relatives and collaboration partners
- c) the student shows threatening or offensive behaviour in the context of their studies
- d) the student abuses substances or acquires medicines illegally
- e) the student has problems of a nature that seriously compromises his/her functions towards his/her surroundings
- f) the student shows too little self-insight regarding tasks in his/her studies and his/her future professional role
- g) the student shows negligence and commits irresponsible actions that may entail risks for patients, clients or user
- h) the student shows a lack of willingness or ability to change unacceptable behaviour in accordance with guidance

#### **Section 5.** *Information to the students*

At the start of studies the institution is to make sure that all students are given information about the suitability assessment and what it entails.

#### **Section 6.** *Suitability Committee*

The Board itself is to appoint a Suitability Committee. This Committee is to consist of:

- an academic Head of Department or Faculty for teacher education or for the study programmes in health and social care, or an equivalent post
- an academic Head of Studies for teacher education or for the study programmes in health and social care, or an equivalent post
- two representatives from the field of supervised professional training
- two subject teachers
- two student representatives
- an external representative with a law degree

The members are appointed for three years at a time. The student representatives are appointed for one year. The academic Head of Department or Faculty or equivalent post acts as Head of the Committee.

At least two thirds of the Committee members must be present during the procedure.

#### **Section 7.** *Assessment responsibility at institution level*

The Board appoints a member of the institution's staff to be responsible for the suitability assessment. This person may be one of the members of the Suitability Committee.

**Section 8.** *Notification of doubt*

Any doubt as to the suitability of a student is to be notified in writing to the member of the institution staff who is responsible for suitability assessment. The person submitting the notification is not regarded as a party to the case.

The responsible member of the institution staff is not to deal with notifications of doubt that are obviously unjustified.

**Section 9.** *Procedure at institution level*

The student is to be notified in writing as soon as there is justified doubt about his or her suitability. The member of the institution staff who is responsible for suitability assessment shall summon the student to a suitability review and gather as much information about the case as possible. The student must be offered extended supervision and guidance unless it is obvious that such supervision is not suited to helping the student. Periods of practical training can be postponed until after such extended guidance has been completed.

There are to be written minutes of this suitability review, with a description of the case and, if relevant, plans for extended supervision and guidance for the student.

If extended supervision and guidance do not lead to the necessary change and development for the student the member of the institution's staff who is responsible for suitability assessment shall submit the case to the Suitability Committee.

**Section 10.** *Procedure in the Suitability Committee*

Cases submitted to the Suitability Committee must be accompanied by all of the written documentation pertaining to the case. The Committee must investigate the case in more detail if necessary.

The student must be notified of the time of the meeting well in advance and presented with the case information. The student is to have the opportunity to present his or her views to the Committee before the meeting.

The Committee prepares a recommendation to the Board or to the institution's Appeals Committee with an assessment of whether the student is suited or not, whether the student should be excluded completely or partly from the education in question, as well as the length of the exclusion period and any conditions the student must meet in order to be allowed to restart his or her studies. Any disagreement within the Committee must be explained and appear in the recommendation.

**Section 11.** *Procedure in the Board/the institution's Appeals Committee*

Based on the recommendation of the Suitability Committee the Board itself or the institution's Appeals Committee passes a decision on the unsuitability of a student pursuant to section 4-10, third and fourth paragraphs, of the Act relating to Universities and University Colleges. A

student who has been deemed unsuitable shall not be awarded a diploma for the education in question.

If a student who has been deemed unsuitable is to be excluded from the programme of study a separate decision to this end must be passed. The student may be excluded from the programme of study for up to 3 years. In cases of shorter periods of exclusion the Board or the institution's Appeals Committee can stipulate conditions which must be met before the education is resumed.

The exclusion decision must inform the student that during the period of exclusion he/she may not apply to or accept a place at equivalent programmes of study at institutions subject to the Act relating to Universities and University Colleges, and that he/she must apply again if the programme of study is to be resumed after the period of exclusion.

### **Section 12.** *National register*

When a decision has been passed that a student is to be excluded because of unsuitability, information about the student's name, scope and period of exclusion is to be sent to the Norwegian Universities and Colleges Admission Service (NUCAS, *Samordna opptak*) where a national register will be established. If the decision is set aside after a complaint, notification of this must be sent to the Norwegian Universities and Colleges Admission Service.

The information in the national register is to be deleted after the end of the period of exclusion.

### **Section 13.** *Transitional provisions*

In the case of the programmes of education as mentioned in section 1 nos. 6 to 24, suitability assessment pursuant to these regulations applies to new students beginning their education as of 1 August 2006 and later. In the cases of programmes of education as mentioned in section 1 nos. 1 to 5, suitability assessment also applies to students who have started their studies before 1 August 2006.

### **Section 14.** *Entry into force*

These regulations enter into force on 1 August 2006. At the same time regulations of 10 October 2005 no. 1193 concerning suitability assessment in programmes for teacher education are repealed.