

Report of investigation

Maastricht School of Management

*2018*

National Commission

*Code of Conduct*

Higher Education

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## Introduction

On 21 February 2018, the National Commission (hereafter: the Commission) gave its decision on two application proceedings pertaining conduct of Maastricht School of Management (hereafter: MSM). Although both applications had been declared not admissible, the Commission still had concerns about the provision of information about the accreditation as well as about the accreditation of the programmes MSM offers to international students. As regards its supervisory tasks, the Commission is bound to the Code of Conduct. Leads and applications may only be subject for an investigation by the Commission if they could cause a considerable violation of the Code of Conduct. The content of both above mentioned applications referred to some stipulations in de Code of Conduct and as such offered sufficient links to serve as a lead for further investigation. For that reason – from the duty of care it has – the Commission decided in April 2018 to initiate an investigation into the provision of information by MSM.

# Chapter 1 Investigation

## *1.1 Scope of the current investigation*

The subject of the investigation was the provision of information by MSM regarding the quality and accreditation of the study programmes offered, the collaborations of MSM with partner institutes and the degree that is awarded after completion of a programme offered (by MSM or its partner institutes). Particular attention is given to the status of the MPhil line as part of the DBA programme. The Commission's investigative power originates in the Code of Conduct, which stipulates that the educational offer must comprise a full-time programme in the context of granting a residence permit for study purposes. As it was initially not clear to the Commission – also in regard to the content of both above mentioned applications – to what extent the educational offer of MSM consisted of full-time and part-time programmes, the topics of the Commission were directed at the entire educational offer of MSM. Subsequently, in the assessment only the full-time programmes were taken into account and the part-time programmes and research lines were not considered.

## *1.2 2012 investigation*

In 2012, the Commission also received an application and decided to investigate the provision of information by MSM concerning its study programmes, the accreditation of the programmes it offered and whether MSM had an internal complaints procedure for complaints that were related to the Code of Conduct. In that report, the Commission identified that MSM had provided insufficient, inaccurate and sometimes incorrect information about the accreditation of its programmes and the consequences in case of lack of accreditation by the NVAO. It also appeared that an internal complaints procedure was missing, or insufficiently detailed.

At that time, the Commission imposed a measure on MSM to repair the defects by correcting the incorrect information and by extending the information about the accreditation. Furthermore, MSM was to set up a complaints procedure for cases regarding the Code of Conduct. In September 2013, the Commission observed that MSM had repaired the defects and the case was closed.

## *1.3 Topics for investigation*

The investigation dealt with the following topics, related to applicable provisions of the Code of Conduct:

### Article 2.1 of the Code of Conduct

1. What is the educational offer of MSM to international students?
  - a. Are part-time programmes part of the educational offer?
  - b. If the answer is affirmative, will the international students be informed that this means that no residence permit can be applied for?
2. Does MSM offer study programmes in collaboration with Dutch educational institutes?
3. Does MSM offer study programmes in collaboration with educational institutes outside the Netherlands?
4. In case of an affirmative answer to question 2 and 3:
  - a. Do the Dutch and foreign educational institutes provide information about MSM and its (joint) educational offer, its accreditation status and the degree awarded?

- b. How does MSM check the quality of the provision of information by the educational institutes that it collaborates with in the Netherlands and abroad, insofar as this concerns the joint educational offer?
- 5. To what extent does the educational offer referred to in question 1, question 2, and question 3 consist of programmes in the area of education or lines in the area of research?
- 6. What is the scope of the MPhil programme, which is part of a research line?
- 7. How, and which information does MSM provide about the educational offer referred to in question 1, question 2 and question 3, the accreditation status and the value of the diploma and the degree awarded in case of a foreign accreditation organisation?
- 8. Does MSM provide information on the Code of Conduct and the complaints procedure which is open to international students on its website?

#### Article 2.3 of the Code of Conduct

- 9. How, and which information does MSM provide about its place in the Dutch educational system?

#### Article 5.2 of the Code of Conduct

- 10. Which accreditation organisations have accredited the educational offer referred to in question 1, question 2 and question 3?

### *1.4 Method*

On 24 April 2018, MSM was informed about the investigation launched by the Commission, and was presented the ten topics for investigation mentioned above. MSM answered the questions in a letter of 22 May 2018, which was received on 24 May 2018. The answers comprised references to the information that was included in several webpages of MSM's internet site, as well as a print of that information.

The information given by MSM was studied and if possible checked against external sources, such as the CROHO, Studyfinder, the NVAO website, the websites of several foreign accreditation organisations and – to the extent that MSM collaborates with foreign educational institutes – the websites of those institutes. Furthermore, the information from folders and other material that was produced by or on behalf of applicants and MSM during both application proceedings was studied.

The draft findings were discussed in the meeting of the Commission, after which on 26 June 2018 MSM was invited to respond in writing. MSM responded to the findings in an email of 24 July 2018. This has caused some adjustments in the report. The response of MSM to the contents of the draft report is included in section 3.2. Subsequently, the report of the investigation was published on the Code of Conduct's website in both Dutch and English.

### *1.5 Assessment framework*

The items for investigation were formulated following Articles 2.1, 2.3 and 5.2 of the Code of Conduct.

#### Article 2.1

The higher education institution provides, amongst others through the website, timely reliable and easily accessible information to international students concerning:

- a. The accreditation of the study programme as referred to in Article 5.2. In case the accreditation has been carried out by an organisation other than the NVAO, international students will be informed about the consequences in respect of the recognition of the degree and the diploma by the Dutch government;

- b. A description of the study programme and the certificate that will be obtained, and the examination regulations (or comparable regulations) or a summary thereof;
- c. The admission requirements of the study programme, including policies for admission and registration and the associated costs as referred to in Sections 3 and 4;
- d. The language of teaching;
- e. Supplementary charges required by the higher education institution from the international student for the abovementioned services or for services as referred to in Sections 3, 4 and 5;
- f. The standardization of the student progress as referred to in Section 5;
- g. This Code of Conduct.

The abovementioned information preferably includes a description of the knowledge and skills that the international student will have acquired after having successfully completed the study programme.

#### Article 2.3

The higher education institution ensures that its advertising and presentations clearly indicate the nature of the higher education institution and its education programmes. When recruiting international students, it will act in accordance with the rules and standards laid down in the Advertising Code of the Netherlands Advertising Code Commission (Nederlandse Reclame Code Commissie), particularly general code (I) and the special advertising code for courses (II-b). The higher education institution uses a name in the English language that clearly reflects the nature of the institution.

#### Article 5.2

The institution offers international students only duly accredited degree education, within the meaning of the WHW. Furthermore, education can be offered based on the law of other countries if it has been accredited, according to a substantive assessment of the Dutch institution or education offered in Netherlands, by an accreditation organisation in the higher education area and the decisions of which are recognised by the relevant authorities in the country concerned. In order to assess this, external advice can be obtained by the Register Administrator or the National Commission.

Short term programmes at the level of higher education – not being a preparatory year or a premaster – may also be offered to international students, as long as they are reducible to accredited programmes which are offered by the same institution.

The findings of the investigation have been described in this report and have been substantiated by evidence material and the associated webpages. Chapter 3 contains a scoring based on the system of standards below.

<b>System of Standards Code of Conduct</b>			
<b>Art.</b>	<b>Standard</b>	<b>Fulfilled?</b>	
		YES	NO
2.1	Is the educational offer for international students published on the website?		
2.1	Is the information on the website reliable* and easily accessible?		
2.1a	Is the accreditation (status) of the study programmes, as referred to in Article 5.2, published on the website?		
2.1g	Does the website contain information about the Code of Conduct and the complaints procedure?		
2.3	Does the English name that the educational institution uses clearly reflect the nature of the institution?		

5.2	Does the institution offer international students only duly accredited degree education, within the meaning of the WHW?		
5.2	Has the education offered in the Netherlands which is based on the law of other countries been accredited in that country – after substantive assessment of the Dutch institution or the programmes offered in Netherlands – by an accreditation organisation in the higher education area, of which the decisions are recognised by the relevant authorities in the country concerned (included in a non-exhaustive list)?		

\* Regarding the requirement of the information provided, a term that is included in the Code of Conduct, the accreditation status as indicated by MSM will be checked against other information sources. This means that for instance indication that accreditation was granted by the NVAO, will be checked against the database of the NVAO on [www.nvao.net](http://www.nvao.net).

## 1.6 Time schedule

The investigation was carried out according to the schedule below:

April 2018	<ul style="list-style-type: none"> <li>- Start checking website and information material MSM</li> <li>- Submit topics for investigation to MSM</li> </ul>
May 2018	<ul style="list-style-type: none"> <li>- Continuation checking website and information material MSM</li> <li>- Analysis MSM's response to topics for investigation</li> </ul>
June 2018	<ul style="list-style-type: none"> <li>- Discussion draft findings in Commission Meeting</li> <li>- Invitation to MSM for written response to draft report</li> </ul>
September 2018	<ul style="list-style-type: none"> <li>- Discussion MSM's response by Commission</li> <li>- Confirmation definitive report of investigation</li> <li>- Translation of report of investigation</li> <li>- Publication of report of investigation on website Code of Conduct</li> </ul>

## Chapter 2 Findings

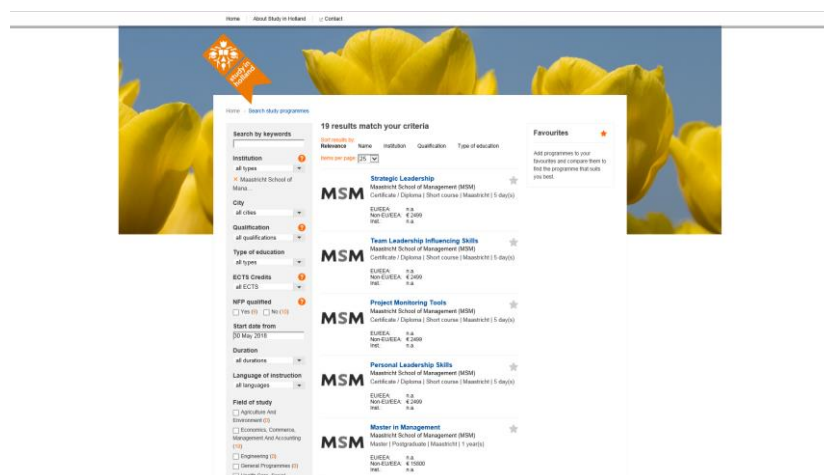
### 2.1 Topic 1

#### What is the educational offer of MSM to international students?

The educational offer of MSM to international students in the Netherlands and abroad can be found on the MSM website: <https://www.msm.nl/program/program>. The documentation provided by MSM showed that this is comprised of 36 programmes. A few days later, the Commission found that they are 37 programmes. The difference may be explained from the fact that the offer and the development of (new) study programmes is dynamic and that information therefore may change. This underlines the importance of adequate provision of information on the educational institute's website.



The number of MSM programmes included in Studyfinder was 19: 2 master programmes (MBA and Master in Management, both with a duration of 1 year) and 17 programmes leading to a certificate (with a duration of 5 days to 12 weeks).



The educational offer of MSM consisted of programmes that were offered in the Netherlands both in a full-time and a part-time version. Abroad these were mainly offered by MSM in a part-time version. The programmes that were offered in the Netherlands in a partnership (Master programmes with the US and Germany)

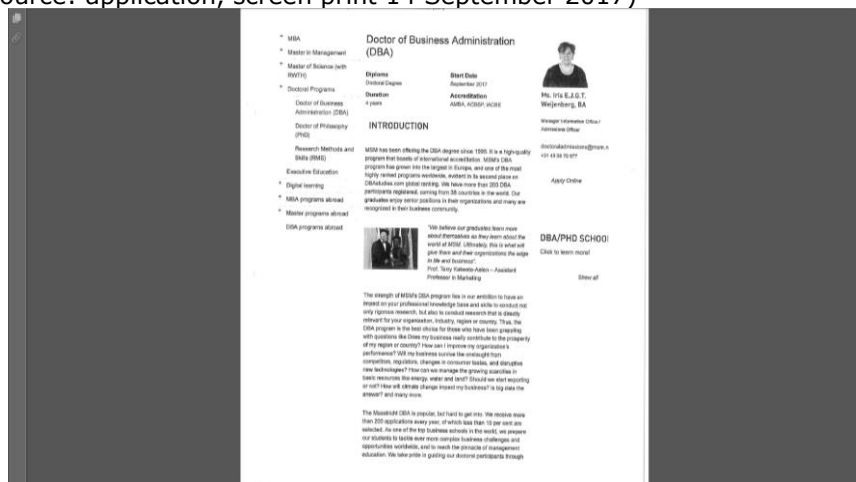


consisted of full-time studies. The programme in collaboration with the US was a double degree programme and was being offered throughout virtually the entire US. During the programme, the students visit the Netherlands for a period of of maximum of six weeks. The programme in partnership with Germany was no double degree programme. The students were awarded a degree by RWTH Aachen. They had a residence permit for Germany, were registered at RWTH Aachen and only came to MSM in the Netherlands for a few subjects.

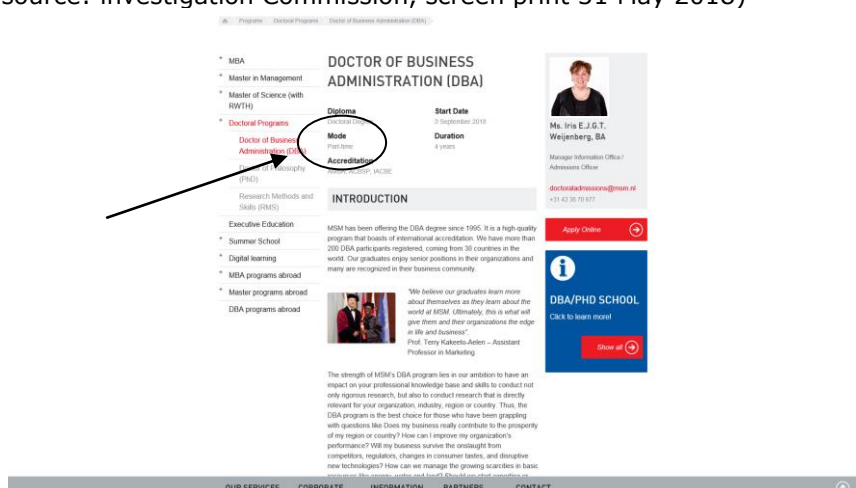
One of the two applications, which were the reason for the current investigation, was submitted by an applicant who had a residence permit for study purposes, granted by the IND, that would only be granted in the case of full-time higher education. In the course of processing the application, MSM stated that they had been informed by the IND that the residence permit was wrongfully granted as the (DBA) programme that applicant followed was a part-time programme. Both MSM and applicant gave information during the processing of the application which clearly stated that the programme taken was offered part-time, or was followed part-time.

The information about the setup (full-time or part-time) of the DBA programme concerned was insufficiently clear. Meanwhile the MSM website has been adjusted in this respect:

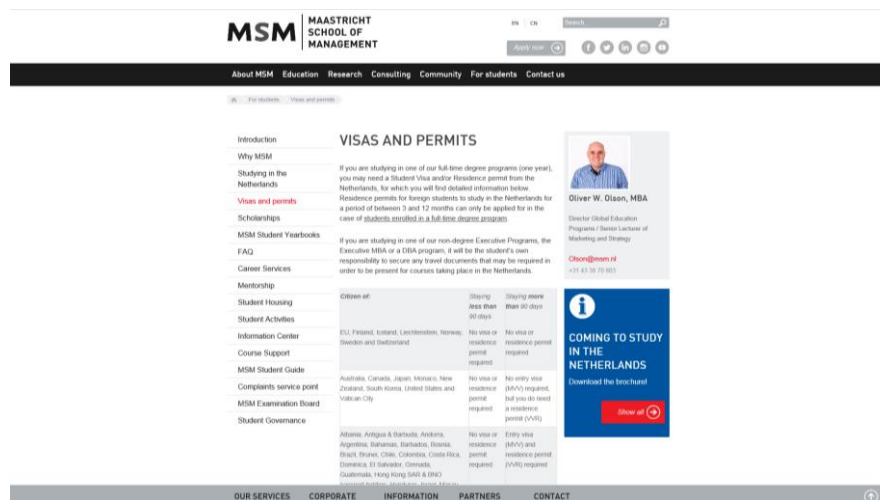
**Old:** (source: application, screen print 14 September 2017)



**New:** (source: investigation Commission, screen print 31 May 2018)



The prospective international student is explicitly informed on the website that no residence permit for study purposes can be requested in the case of part-time programmes: <https://www.msm.nl/study-at-msm/visas-and-permits/>.



## 2.2 Topic 2

### Does MSM offer study programmes in collaboration with Dutch educational institutes?

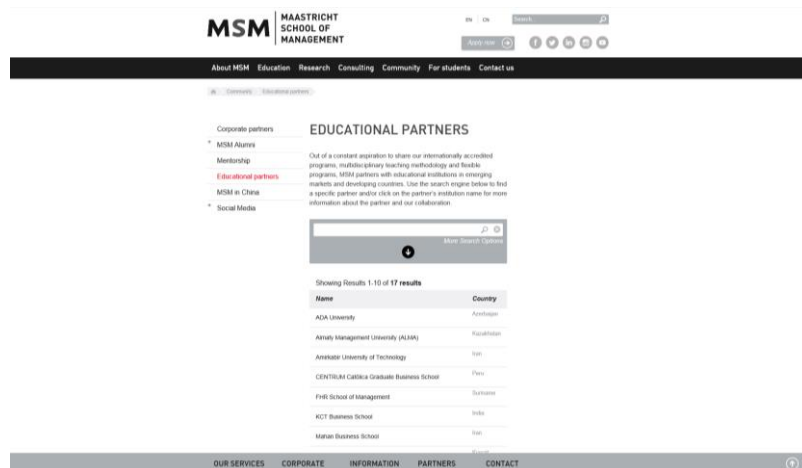
At present, contrary to in the past, MSM does not offer study programmes in collaboration with Dutch educational institutes. Information on the MSM website does not show partnerships with Dutch educational institutes.

## 2.3 Topic 3

### Does MSM offer study programmes in collaboration with educational institutes outside the Netherlands?

Information on the MSM website showed that it has a partnership with 17 foreign institutes (educational partners) with which MSM offers full-time and part-time programmes abroad. The partnerships also prove from the list of educational programmes offered: <https://www.msm.nl/program/program/mba-programs-abroad/>.

In MSM's response to the topics of investigation of the Commission, MSM stated to offer programmes only abroad. This was not in agreement with the information given by MSM on its website, for instance regarding the MSc programmes that were offered in collaboration with RWTH Aachen University in a full-time variant. By the way, these programmes were not linked to a degree by MSM, but led up to a MSc degree granted by RWTH Aachen.



## 2.4 Topic 4

**In case of an affirmative answer to question 2 and 3:**

**a. Do the Dutch and foreign educational institutes provide information about MSM and its (joint) educational offer, its accreditation status and the degree awarded?**

**b. How does MSM check the quality of the provision of information by the educational institutes that it collaborates with in the Netherlands and abroad, to the extent this concerns the joint educational offer?**

The MSM website gives information about its educational offer in the Netherlands and abroad: <https://www.msm.nl/program/program>. Abroad, MSM offers in collaboration with foreign educational institutes mainly part-time programmes, but the MSc programmes that it executes together with RWTH Aachen University are also being offered as a full-time variant. By the way, these programmes were not linked to a degree by MSM, but led up to a MSc degree granted by RWTH Aachen. On its website, MSM pointed out that foreign education does not lead up to a Dutch degree as meant in the WHW: *In addition to its campus in Maastricht, MSM offers also, in collaboration with selected partner institutions, postgraduate education in a number of countries outside the Netherlands. These MBA and Executive MBA programs are all internationally accredited by AMBA, IACBE and ACBSP. It is also subject to the standards set by the international accrediting body ATHEA. They are not accredited by NVAO and do therefore not lead to a Dutch-degree in terms of legislation in the Netherlands.*

Furthermore, information was given about the accreditation status of its educational offer (<https://www.msm.nl/about-msm/accreditations-memberships/>) and the degree that can be obtained after completion of the programme (<https://www.msm.nl/program/program/mba-programs-abroad/>).

## 2.5 Topic 5

**To what extent does the educational offer referred to in question 1, question 2 and question 3 consist of programmes in the area of education or lines in the area of research?**

As appeared from the written response, MSM's educational offer consisted of:

- Full-time and part-time programmes in the area of education in the Netherlands
- Part-time programmes in the area of education abroad
- Part-time research lines in the Netherlands and abroad

- 15 MBA programmes were being offered (UK, Egypt, Surinam, Azerbaijan, China, Romania, Yemen, Peru, Vietnam, Kazakhstan, Iran, Kuwait, Hungary and US);

- MBA SPQKACQUISITION'S Summer School 2018**

Certified in Management  
Summer School Barcelona

Certified in Management  
Summer School Dresden

\* **MBA programs abroad**

Maasricht - Suffolk Executive MBA UK	Showing Results 1-10 of 16 results	Type
MBA and Nichols College double degree MBA-MBA program	Executive MBA Azerbaijan	MBA programs abroad
Executive MBA Egypt	Executive MBA Egypt	MBA programs abroad
Executive MBA Hungary, China	Executive MBA Hungary, China	MBA programs abroad
Executive MBA Romania	Executive MBA Romania	MBA programs abroad
Executive MBA Kazakhstan	Executive MBA Romania	MBA programs abroad
Executive MBA Iran	Executive MBA Sumatra	MBA programs abroad
Executive MBA Hungary, China	Executive MBA Yemen	MBA programs abroad
Executive MBA Vietnam	International MBA Hungary, China	MBA programs abroad
Executive MBA Kazakhstan	International MBA Peru	MBA programs abroad
Executive MBA Azerbaijan	Maasricht MBA Vietnam	MBA programs abroad
Executive MBA Kazakhstan	Executive MBA Kazakhstan	MBA programs abroad

12 results

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\* **Core Research Methods**

In Research and

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A - Programs Master programs abroad

- \* MBA
  - \* Master in Management
  - \* Master of Science (with RWTH)
  - \* DBA program
  - \* Executive Education
  - \* MBA Specializations
  - Summer School 2018
  - Certified in Management
  - Summer School Barcelona
  - Certified in Management
  - Summer School Endlessness
  - \* MBA programs abroad
  - \* Core Research Methods for Business and Economics Summer School
  - \* **Master programs abroad**
    - MBA and Nichols College double degree USA&NL program
    - MBA+MSc program
  - \* Digital learning

## MASTER PROGRAMS ABROAD

In addition to its campus in Maastricht, MSM offers also, in collaboration with partner institutions, Master programs in countries all over the world. Use the search engine below to find the program of your choice.

More Search Options  


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Showing Results 1-1 of 1 results

Title	Type
MBA and Nichols College double degree USA&NL program	Master programs abroad

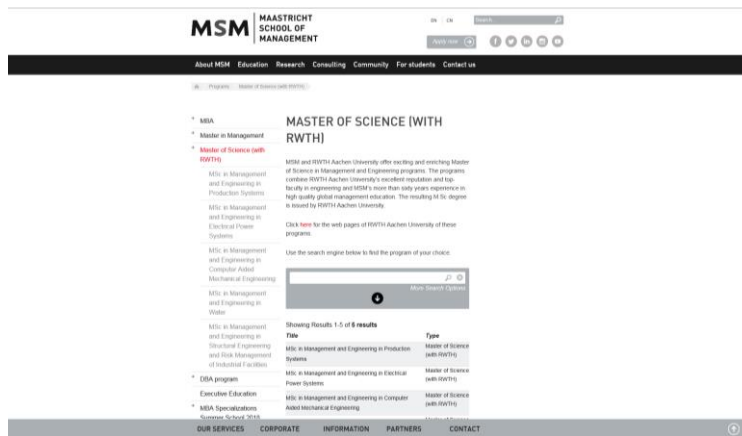
1 result

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- 1 DBA programme was offered in the Netherlands;
- 1 Research Methods and Skills (RMS) programme was offered in the Netherlands (12 weeks, full-time and part-time);
- 1 Master in Management programme was offered in the Netherlands (full-time);
- A selection could be made from 9 online programmes, and
- 13 programmes were offered through MSM Summer School (Maastricht, Eindhoven and abroad).

## 2.6 Topic 6

### What is the scope of the MPhil programme, which is part of a research line?

The information on the MSM website about the DBA programme clearly stated that it was a part-time programme. It is also said that the DBA degree was not comparable with the *dr.* or PhD degree as mentioned in the WHW, and the DBA degree would be awarded (after successful completion of the programme) based on accreditation by AMBA, ACBSP and IACBE. It was not clear that the DBA programme was not a studies as referred to in the WHW, but a research programme.



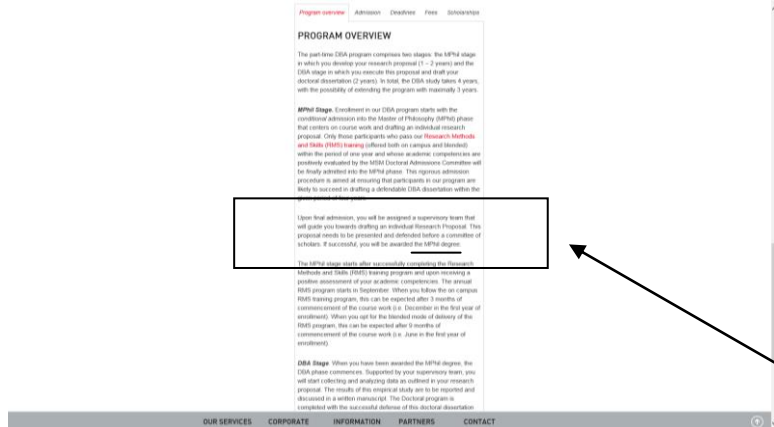
The DBA programme consisted of two parts: the MPhil phase (1-2 years) and the DBA phase (2 years). The MPhil was not an independent programme but part of the part-time DBA programme. See: <https://www.msm.nl/program/program/dba-program/dba-program-2/>.

First a conditional admission to the MPhil phase would be allowed. After completion of the Research Methods and Skills (RMS) programme and a positive assessment, the student would be definitively admitted to the MPhil phase. The RMS programme, with a duration of 12 weeks, could also be taken up as a independent non-degree course (both full-time and part-time). During the MPhil phase the student had to write a research proposal, to be carried out in the DBA phase, after which (also in the DBA

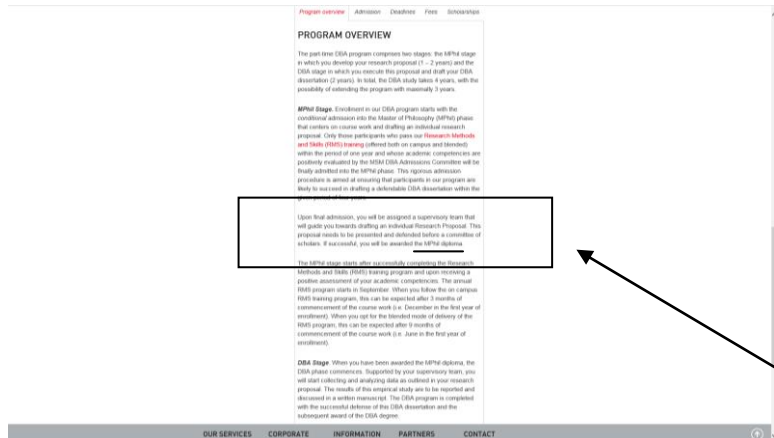
phase) the doctoral thesis would be written.

Although the MPhil was not an independent programme but a part of the DBA, it would be completed (in the interim), after which the researcher would move to the following phase of the programme. Until recently, the MSM website stated that after completion of the first phase the MPhil degree would be awarded. In the meantime the information on the website was adjusted and now states that a MPhil diploma will be awarded. This is also stated in Article 2.1.1 of the Education and Examination Regulations DBA-program 2017-2018 (page 8) (to be consulted on [https://www.msm.nl/study-at-msm/msm-examination-board/#tab\\_0](https://www.msm.nl/study-at-msm/msm-examination-board/#tab_0)).

**Old:** (source: investigation Commission, screen print 2 February 2018)



**New:** (source: investigation Commission, screen print 31 May 2018)



However, the Commission is not convinced that the current information on the website will be less subject to misunderstanding. The MPhil is not a degree recognised in the WHW, but it is unclear whether the prospective student will understand the subtle difference between a degree and a diploma. Moreover, it does not become clear what the value is of the master diploma in relation to recognition by the Dutch government. MSM does state on page 8 of the previously cited Education and Examination Regulations DBA-program 2017-2018 that the MPhil diploma is not a recognised Dutch master degree, see:

The Research Board will advise on the curriculum of the RMS training program within the DBA program and subsequent research activities.

#### **Phase 2: MPhil phase**

Participants who have passed the RMS training program and who are finally admitted to the DBA program by the DBA Admissions Committee can continue their study in the MPhil phase. They will be assigned a 'supervisory team' consisting of a supervisor and a co-supervisor within three (3) months after they have passed the RMS training program. During the MPhil phase, participants develop their 10-page Research Proposal (developed during the RMS training program) into a complete, feasible DBA Research Proposal for their DBA research project. Participants conduct a full literature review in their field of research, and develop a complete research design for collecting and analysing data. They work individually but under the guidance of the supervisor and with advice of the co-supervisor. Upon the approval of the supervisory team, the participant must formally submit his/her Research Proposal to MSM. After a final evaluation by the Associate Dean Research, the MSM Research department organizes the Research Proposal Seminar in which the participant can present and defend the (revised) Research Proposal to the Research Proposal Seminar Committee.

The MPhil phase is completed with the successful defense of the Research Proposal and the subsequent award of the MPhil diploma. The MPhil diploma is not a recognised Dutch Master's degree.

#### **Phase 3a: DBA phase**

With the award of the MPhil diploma, the participant can start carrying out the Research Proposal by collecting and analysing data as planned under guidance of the supervisory team. The results of the research are reported in a DBA dissertation, which is a book length manuscript that meets international academic standards and represents an original contribution to one (1) of the relevant fields of management. Originality is demonstrated through the discovery of new facets, the discovery

Apart from that, MPhil is an internationally accepted degree as the indication of successful completion of a research master, often in the field of Business and Economy. In the Netherlands, Vrije Universiteit Amsterdam (in collaboration with Erasmus University Rotterdam and University of Amsterdam) offers a MPhil (full-time, 2 years). This scientific research master is included in Studyfinder (<https://www.studyfinder.nl/education/vu-12089?StartDate=2018-05-30&fulltext=MPhil&rpp=25>) and has been accredited by the NVAO. Studyfinder explains that the research master is the first step to a *dr.* or PhD degree; in addition, for completion of the PhD line a three-year paid position as a PhD researcher must be found.

That the status of the MPhil (degree/diploma) and the distinction made by MSM between awarding a degree or a diploma was not clear, was demonstrated during the treatment of the application by the *Rules and Regulations Governing the Doctoral Degree Programme at the Maastricht School of Management* (version 4.0, 6 February 2012) which MSM submitted. Article 3.9 describes the awarding of the MPhil degree (not diploma) and the associated ceremony as follows:

- 3.9 Ceremony of awarding the MPhil degree
- a. A successful completion of the research proposal seminar stage qualifies the participant for the award of the Master of Philosophy (MPhil) degree.
  - b. The Maastricht School of Management holds one graduation ceremony per year (normally in September).

The same applies to the *Education and Examination Regulations 2017-2018 Doctoral program* which was also submitted by MSM. Here too, mention is made of a MPhil degree (no diploma) which will be awarded after completion of the MPhil phase:



#### Article 3.18 Degree and Transcript

##### 3.18.1 Degree

###### Research Methods and Skills (RMS) Post-Graduate diploma:

A RMS Post-Graduate diploma is awarded to participants who have fulfilled all the requirements of the RMS (blended) training program (i.e. pass the different subject modules, including the successful presentation and defense of the individual 10-page Research Proposal).

A Certificate of Attendance is awarded to participants who have attended the RMS on-campus training program, but did not succeed in passing the program. The Pass/No Pass grading system will be used to indicate the participant's performance per subject module.

A Certificate of Participation is awarded to participants who have attended the RMS blended training program, but did not succeed in passing the program. The Pass/No Pass grading system will be used to indicate the participant's performance per subject module.

###### MPhil degree:

An MPhil degree is awarded to participants who have fulfilled all the requirements of the MPhil phase (i.e. successful defense of the full Research Proposal during the Research Proposal Seminar).

###### Doctoral degree:

A DBA degree is awarded to participants who have fulfilled all the requirements of the DBA phase (i.e. successful defense of the dissertation during the public defense in Maastricht). A successful completion of the public defense shall confirm the participant as a doctor.

The RMS Post-Graduate diploma, the MPhil and DBA degree and transcript will not be given to the participant until all outstanding invoices have been duly paid and are not in debt to MSM or MSM Partner Institutions or in possession of MSM property such as Information Center books, journals, CD's, keys or property of MSM Partner Institutions. A participant who is on academic probation cannot graduate.

After presentation of the draft findings of the Commission the text was adjusted by MSM:

#### Article 3.18 Degree and Transcript

##### 3.18.1 Degree

###### Research Methods and Skills (RMS) diploma:

A RMS diploma is awarded to participants who have fulfilled all the requirements of the RMS (blended) training program (i.e. pass the different subject modules, including the successful presentation and defense of the individual 10-page Research Proposal).

A Certificate of Attendance is awarded to participants who have attended the RMS on-campus training program, but did not succeed in passing the program. The Pass/No Pass grading system will be used to indicate the participant's performance per subject module.

A Certificate of Participation is awarded to participants who have attended the RMS blended training program, but did not succeed in passing the program. The Pass/No Pass grading system will be used to indicate the participant's performance per subject module.

###### MPhil diploma:

An MPhil diploma is awarded to participants who have fulfilled all the requirements of the MPhil phase (i.e. successful defense of the full Research Proposal during the Research Proposal Seminar).

###### DBA degree:

A DBA degree is awarded to participants who have fulfilled all the requirements of the DBA phase (i.e. successful defense of the dissertation during the public defense in Maastricht). A successful completion of the public defense shall confirm the participant as a DBA graduate.

The RMS diploma, the MPhil diploma and DBA degree and transcript will not be given to the participant until all outstanding invoices have been duly paid and are not in debt to MSM or MSM Partner Institutions or in possession of MSM property such as Information Center books, journals, CD's, keys or property of MSM Partner Institutions. A participant who is on academic probation cannot graduate.

## 2.7 Topic 7

**How, and which information does MSM provide about the educational offer referred to in question 1, question 2 and question 3, the accreditation status and the value of the diploma and the degree awarded in case of a foreign accreditation organisation?**

The provision of information by MSM about its educational offer, its accreditation status and the value of the diploma and the degree awarded in the case of foreign accreditation organisations, is given on the MSM website:

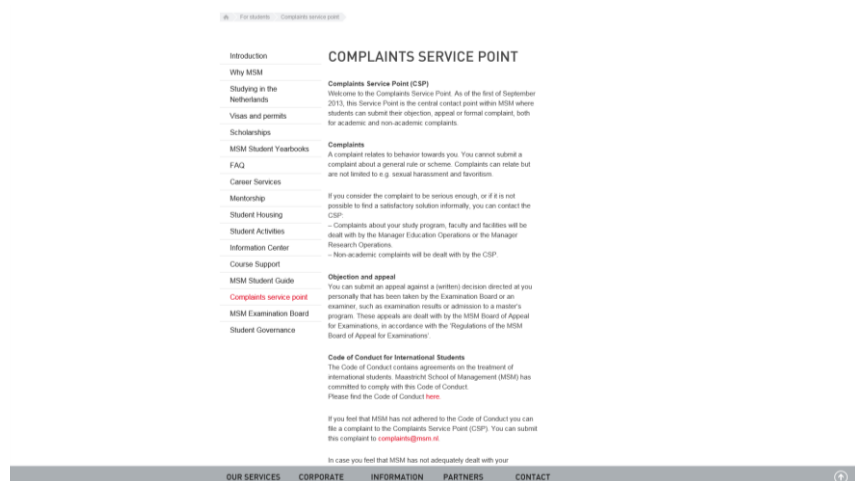
- the educational offer in the Netherlands and abroad: <https://www.msm.nl/program/program>
- the accreditation status of the educational offer (<https://www.msm.nl/about-msm/accreditations-memberships/>)
- the degree awarded after completion of the programme (<https://www.msm.nl/program/program/mba-programs-abroad/>).



## 2.8 Topic 8

### Does MSM provide information on the Code of Conduct and the complaints procedure which is open to international students on its website?

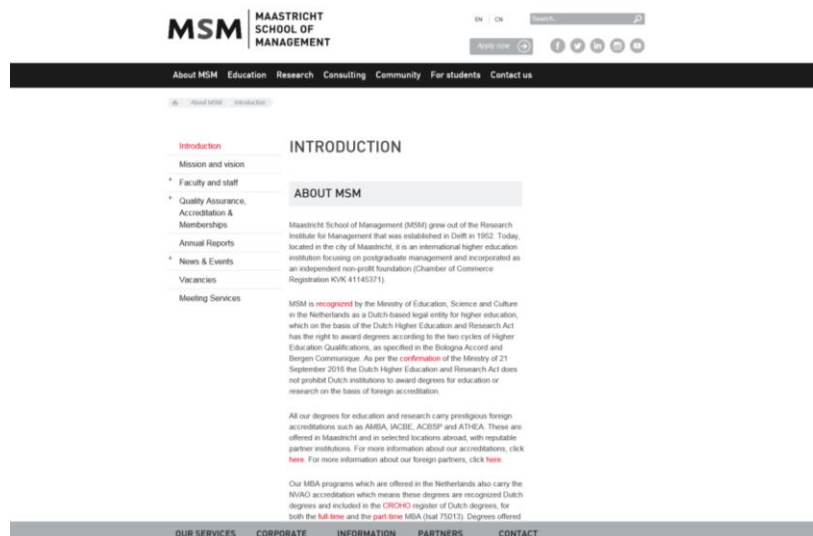
MSM provided some information about the Code of Conduct via the website, with a link to the text of the Code of Conduct. In addition, information about the complaints procedure of MSM, which is open to international students, is given fairly extensively:  
[https://www.msm.nl/about-msm/introduction/#tab\\_1](https://www.msm.nl/about-msm/introduction/#tab_1) and <https://www.msm.nl/study-at-msm/complaints-procedure/>.



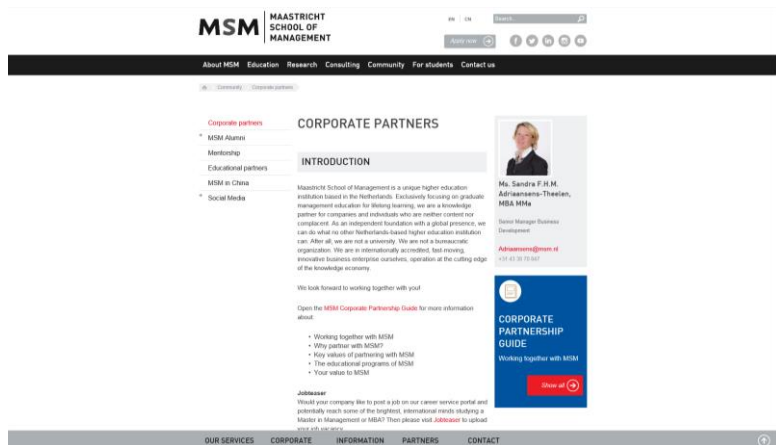
## 2.9 Topic 9

### How, and which information does MSM provide about its place in the Dutch educational system?

MSM provides clear information on the nature of the educational institution via its website:



See also:



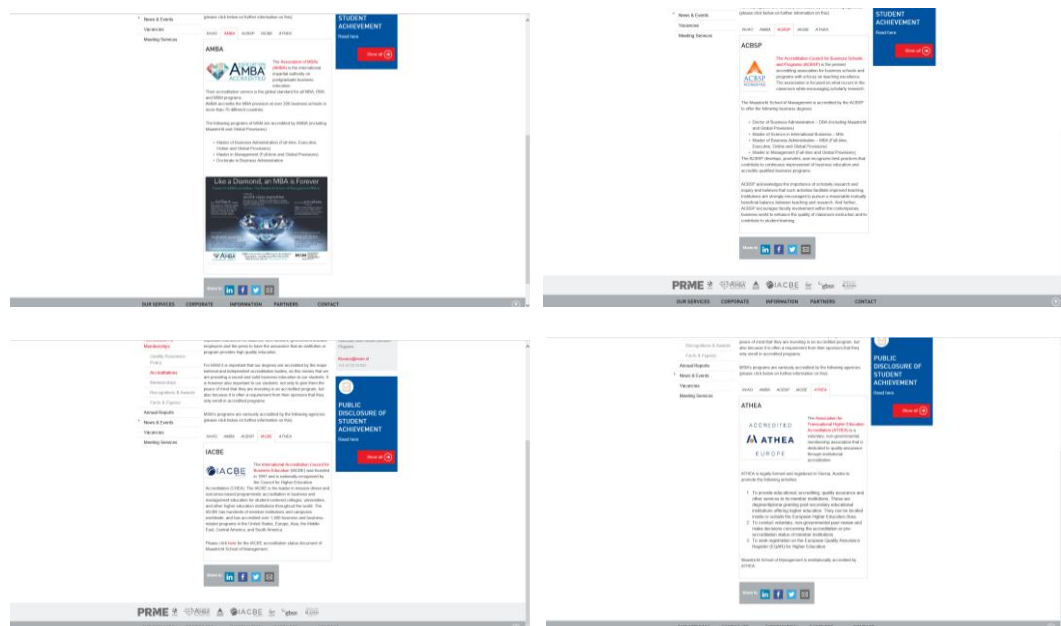
## 2.10 Topic 10

**Which accreditation organisations have accredited the educational offer referred to in question 1, question 2 and question 3?**

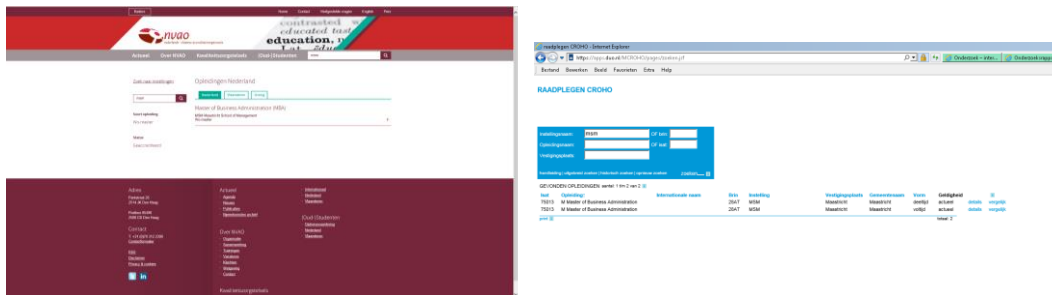
Both the courses offered by MSM in full-time and part-time variants in the Netherlands, as well as the part-time courses that MSM offers abroad in cooperation with various foreign educational institutions, are accredited. Accreditation has been done by various accreditation organisations.

The MSM website indicates which programme has been accredited by which accreditation organisation: <https://www.msm.nl/about-msm/accreditations-memberships/>. These were the following accreditation organisations:

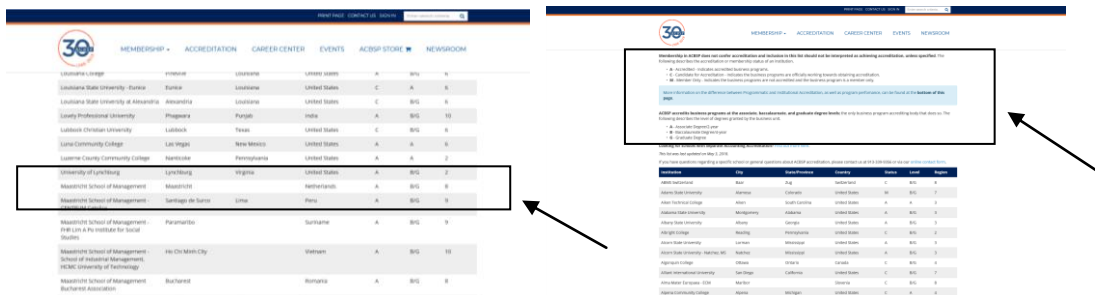
- NVAO: MBA programme
- AMBA: MBA programme, Master in Management and DBA programme
- ACBSP: DBA programme, Master of Science in International Business, MBA programme and Master in Management
- IACBE: DBA programme, MBA programme and Master in Management
- ATHEA: Accreditation of MSM at institutional level



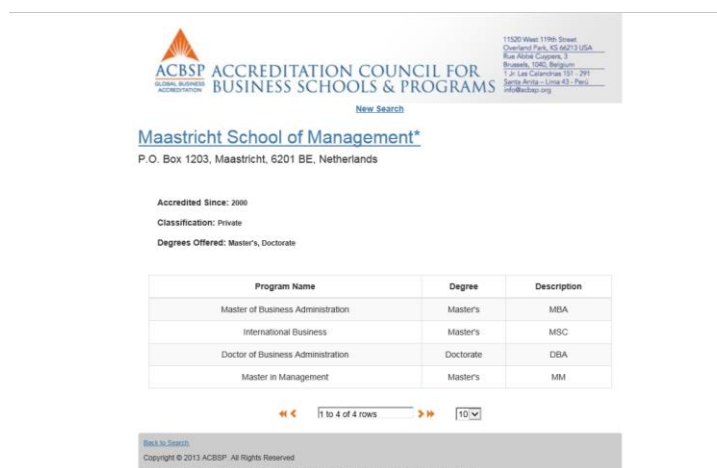
The NVAO website mentions one accredited programme of MSM: the MBA programme. CROHO also includes one programme of MSM: the same MBA programme (full-time and part-time).




The database of ACBSP lists MSM as an accredited institution with business programmes at the level of Baccalaureate Degree/4-year and Graduate Degree. In response, MSM indicated that this was incorrect due to the fact that these programmes were not offered by MSM and that MSM was not included in the database as such. The Commission checked the ACBSP database again with the following result:



MSM is included in the database with Status A and Level B/G. Given the legend of the database, a status A means: *Accredited - Indicates accredited business programs*. Level B/G means: *B - Baccalaureate Degree/4-year, G - Graduate Degree*. Elsewhere on ACBSP's website, MSM is characterised as follows:



In the AMBA database MSM is included with the MBA programme, Master in Management and the DBA programme. The IACBE database includes MSM as an accredited institution with the following programmes: DBA, MBA and Master in Management. AMBA, ACBSP and IACBE are included in the (non-exhaustive) list of



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## MAASTRICHT SCHOOL OF MANAGEMENT (MSM)


MASTRICHT UNIVERSITY

**MAIN CAMPUS**

Universiteitsweg 100, Maastricht, 6229 LX, Netherlands

[Web Site: Website](#)

Accredited programme	Programme name	Mode of study	Duration (in months)	Language taught in	Credit (E)	Country
DBA	DBA Maastricht	Part-time	30 to 12	English	120 to 360	Netherlands
MSBA	EMBA - Strategy Management University (SMU)	Part-time	24	English	120	Kazakhstan
MSBA	EMBA - Academic (University Academy (UAA))	Part-time	24	English	120	Armenia
MSBA	EMBA - Centre of Business Administration (CBA)	Part-time	24	English	120	Yemen
MSBA	EMBA - FHN School of Business	Part-time	24	English	120	Slovenia
MSBA	EMBA - GEMBA	Part-time	12	English	120 to 200	Germany
MSBA	EMBA - GEMBA	Part-time	24	English	120 to 200	Germany
MSBA	EMBA - Hongkong Business Development Agency (HBDA)	Part-time	24	English	120 to 200	Hongkong
MSBA	EMBA - MSM Kuwait	Part-time	24	English	120	Kuwait



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Universiteitsweg 100, Maastricht, 6229 LX, Netherlands

[Web Site: Website](#)

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Universiteitsweg 100, Maastricht, 6229 LX, Netherlands

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MSBA	EMBA - GEMBA	Part-time	24	English	120 to 200	Germany
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MSBA	EMBA - GEMBA	Part-time	12	English	120 to 200	Germany
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MASTRICHT UNIVERSITY

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Universiteitsweg 100, Maastricht, 6229 LX, Netherlands

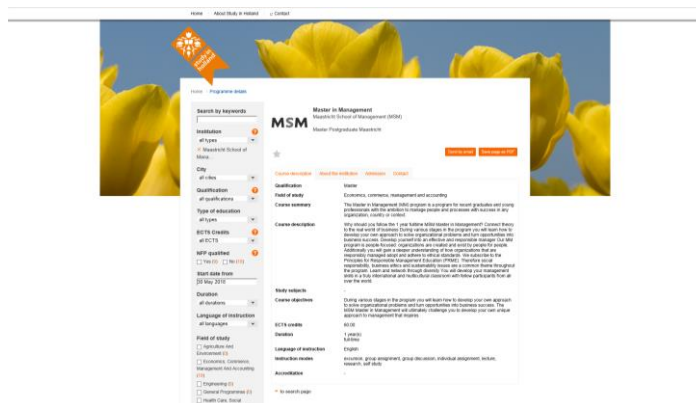
[Web Site: Website](#)

Accredited programme	Programme name	Mode of study	Duration (in months)	Language taught in	Credit (E)	Country
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MSBA	EMBA - FHN School of Business	Part-time	24	English	120	Slovenia
MSBA	EMBA - GEM					

ATHEA (Association for Transnational Higher Education Accreditation) is a private certification body located in Vienna, Austria, which issues quality labels for higher education on a voluntary basis. ATHEA is not recognised as an accreditation organisation or quality audit body in European higher education and is not included in the (non-exhaustive) list of foreign accreditation organisations which is part of Article 5.2 of the Code of Conduct.

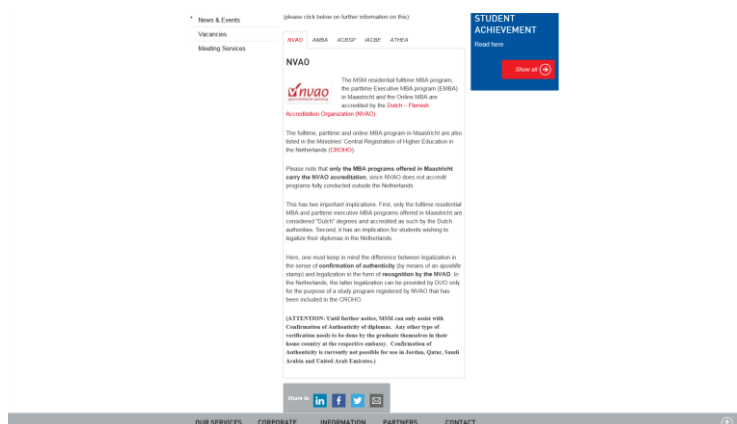
Studyfinder includes 2 Master programmes, the MBA (full-time) and the Master in Management (full-time). It was indicated that for the MBA the accreditation has been carried out by ACBSP, IACBE and AMBA. No information about accreditation was given for the Master in Management.

[illegible]

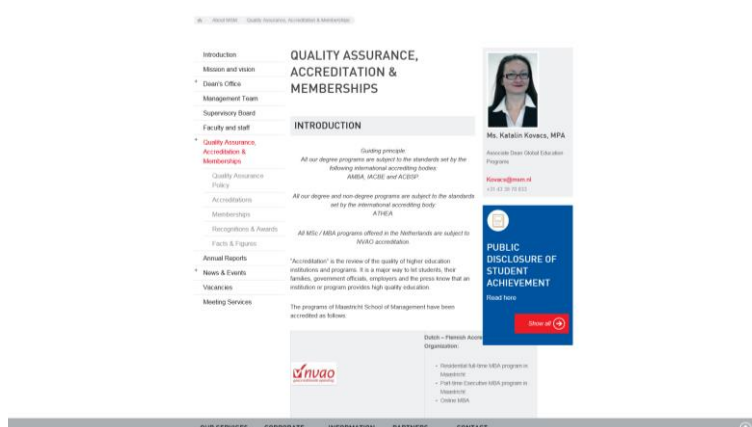


In response to the above findings, MSM informed the Commission that the cause of the lack of information concerning the accreditation(s) was to be found in the Studyfinder software. MSM has adjusted the data in Studyfinder; the Commission has established that information about the accreditation is now included for both programmes.

The MSM website includes extensive information about the accreditation of the MBA programme by the NVAO, the registration in CROHO and the implications concerning (the lack of) the accreditation by the NVAO regarding recognition of the degree by the Dutch government and legalisation of the diploma by DUO.



However, another webpage of the MSM website contains the following: *All MSc / MBA programs offered in the Netherlands are subject to NVAO accreditation.*



This notice is correct to the extent that MSM's MBA programme has been accredited by the NVAO. However, this was not the case for MSM's MSc programme (Master of Science in Management and Engineering programs). The MSc degree would be awarded by RWTH Aachen University and not by MSM.

MSM contested this conclusion by stating that the MBA programme is in fact an MSc programme. On the basis of Section 7.19a in conjunction with 7.10a of the WHW, MSM stated that the MSc master degree, as well as the specialisation, can be added. For that reason MSM has recently requested the NVAO for a confirmation to be allowed to award the following degree: Master (of Science) in Business Administration.

## Chapter 3 Conclusions

### 3.1 Conclusions

#### General

The Commission has been able to take up this investigation expeditiously thanks to the willing cooperation of MSM. The research topics that the Commission submitted to MSM were clearly answered by MSM and substantiated by underlying documentation in the form of prints of web pages from the MSM website. The relevant research topics the Commission put forward partly regarded the form in which MSM offered its educational programmes. On the one hand, this can be explained because exactly the issue of full-time/part-time programmes was mentioned in one of the applications that were the cause for this investigation. On the other hand, the phrasing of the questions – or rather the answers of MSM to the questions – was essential for the scope of the investigation. The Code of Conduct, and with it the Commission's competence, concerns educational programmes that are being offered to international students as full-time courses in the Netherlands. That is why the Commission has started to examine the entire offer, in order to have the picture of its relevance. The opinion of the Commission is restricted to its competence regarding the two full-time courses of MSM.

A comparison of the material previously sent by the two applicants and MSM in the context of the application procedure and the information that the Commission found on the MSM website at that time, shows that MSM reviewed its website and documentation materials in a very detailed manner. The Commission considers it of great importance that international students know in advance what the educational offer of an institution consists of, and above all what the form (full-time/part-time) their future education will have. It should be clear if this isn't a full-time programme. In this context, the Commission has established that MSM has adjusted its website in several areas, such as the provision of information about the form of the programmes, the accreditation of the programmes and the consequences of the lack of NVAO accreditation in terms of recognition by the Dutch government and legalisation of the diploma.

#### Research topics

With regard to the questions relating to the information obligation included in Article 2.1 (1 to 8), the Commission notes that MSM provides information on its educational offer in a clear manner. The information also pays attention to the form of the educational programmes (full-time/part-time) and the location (the Netherlands or abroad) where the courses are taught. The information provided does not explicitly demonstrate whether the offer concerns a study programme as meant in the WHW or a research programme such as in the case of the DBA.

At present, partnerships with Dutch educational institutions no longer exist, but they do with a (large) number of foreign institutions, both within and outside Europe.

The information MSM provides on its website expressly includes the accreditation of the educational offer. It is mentioned by which organisation(s) the programmes have been accredited, and in case of the lack of accreditation by the NVAO it is explained what the consequences are regarding recognition by the Dutch government (legalisation).

In the case of MPhil, the status of the programme may not be too clear yet. Although the information material has been adjusted, the impression could arise that this is an educational programme, especially since it was concluded with the awarding of a

degree (currently a diploma). It should be made clear that, as in the case of the Vrije Universiteit Amsterdam, this is not a separate programme within the meaning of the WHW, but that in the case of MSM it is part of the part-time DBA programme. It cannot be followed as a separate course, contrary to the RMS programme, which is also part of the DBA programme.

The website also contains information about the Code of Conduct as well as the internal complaints procedure of MSM that is open to international students.

With regard to Article 2.3 of the Code of Conduct, the Commission has established that MSM clearly communicates about the nature of the institution on its website. No expectations or suggestions are raised by its name or communication statements, that are not true to reality.

The Commission attaches great importance to the accreditation requirement in the Code of Conduct and has established that the MSM website contains much information about the accreditation of its programmes by the NVAO or several foreign accreditation organisations. MSM also explains whether the accreditation has been granted for the study programmes or on the institutional level, and which are the consequences of the lack of accreditation by the NVAO. References are made to the websites of the NVAO and CROHO. The information presented has been checked by the Commission against the databases of the NVAO and the foreign accreditation organisations, and has proved to be correct.

One of the webpages states that the MSc programme was (also) accredited by the NVAO; this is not the case: only the MBA programme has been accredited by the NVAO. MSM has been asked to correct this on its website. In response, MSM stated that the MBA programme is actually an MSc programme. On the basis of Section 7.19a in conjunction with 7.10a of the WHW, MSM stated to be allowed to add MSc master degree, as well as the specialisation. Referring to a news report by the NVAO dated 17 July 2018 (<https://www.nvaio.net/actueel/nieuws/afronding-gefaseerde-invoer-hbo-titulatuur-70-regeling>), MSM recently requested the NVAO confirmation to be allowed to grant the following degree: Master (of Science) in Business Administration. Whatever it may be, it is clear that up to now such permission has not been given, nor that the required adjustment of CROHO has taken place, meaning that the information about this is therefore incorrect or at least premature.

Some of the foreign accreditation organisations have been included in the (non-exhaustive) list of institutes that is part of Article 5.2 of the Code of Conduct. Insofar as this is not the case (ATHEA), this does not break the relevant provision of the Code of Conduct, as membership of ATHEA supplements the institutional level to the already existing accreditations.

In view of the above, MSM has scored the following standards of the Code of Conduct as follows:

<b>System of Standards Code of Conduct</b>			
<b>Art.</b>	<b>Standard</b>	<b>Fulfilled?</b>	
		YES	NO
2.1	Is the educational offer for international students published on the website?	<b>X</b>	
2.1	Is the information on the website reliable* and easily accessible?	<b>X</b>	
2.1a	Is the accreditation (status) of the study programmes, as referred to in Article 5.2, published on the website?	<b>X</b>	
2.1g	Does the website contain information about the Code of Conduct and the complaints procedure?	<b>X</b>	
2.3	Does the English name that the educational institution uses clearly reflect the nature of the institution?	<b>X</b>	



5.2	Does the institution offer international students only duly accredited degree education, within the meaning of the WHW?		<b>X*</b>
5.2	Has the education offered in the Netherlands which is based on the law of other countries been accredited in that country – after substantive assessment of the Dutch institution or the programmes offered in Netherlands – by an accreditation organisation in the higher education area, of which the decisions are recognised by the relevant authorities in the country concerned (included in a non-exhaustive list)?	<b>X</b>	

\* The standard is based on the literal text of the provision of the Code of Conduct and regards the offer of degree awarding programmes as meant in the WHW. As MSM's educational offer also includes, for example, programmes offered within its Summer School and as degree awarding programmes of which the diplomas and degrees are not recognised in the Netherlands – because these programmes are only accredited by foreign accreditation organisations – this score has been included, without meaning this to be a negative judgment on this point.

### 3.2 Response of Maastricht School of Management



Per email: [info@internationalstudy.nl](mailto:info@internationalstudy.nl) , [jolanda.vandenbosch@duo.nl](mailto:jolanda.vandenbosch@duo.nl)

Landelijke Commissie Gedragscode  
T.a.v. mevrouw J van den Bosch  
Secretaris  
Postbus 260  
9700 AG Groningen

24 juli 2018

Geachte mevrouw van den Bosch,

Hierbij doen wij u de reactie van MSM toekomen op de concept onderzoeksresultaten van de Landelijke Commissie dat wij op 26 juni 2018 ontvangen hebben.

#### ONDERZOEKSVRAAG 1

##### **Pagina 9 onderwijs in Nederland**

Op pagina 9 verwijst u naar het onderwijs dat in Nederland wordt aangeboden in samenwerkingsverband de VS en BRD.

Beide programma's worden echter voor het overgrote deel in het buitenland aangeboden.

Het programma in samenwerking met de VS is een double degree programma, maar wordt vrijwel geheel in de VS aangeboden, de studenten komen slechts maximaal zes weken naar Nederland gedurende het programma.

Het programma met de BRD is geen double degree programma. De studenten ontvangen een degree van de RWTH Aachen. De studenten wonen in de BRD en hebben een verblijfsvergunning voor de BRD en komen slechts voor enkele vakken naar Nederland.

Wij verzoeken de Commissie om dit aan te passen.

De studenten van beide programma's vallen niet onder de werking van de Gedragscode.

Working together for better global management

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E: [info@msm.nl](mailto:info@msm.nl)

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P.O. Box 1203, 6201 BE Maastricht, The Netherlands  
Chamber of Commerce registration: 41145371

EURO bankaccount: 15.13.55.347  
IBAN Code: NL44 RABO 0151 3553 47  
BIC Code: RABONL2U

[www.msm.nl](http://www.msm.nl)

**Pagina 9 en pagina 10 verblijfsvergunning onder beperking “onderzoeker”**

Op pagina 9 geeft u aan dat de Commissie meent dat door MSM een verblijfsvergunning onder de beperking “onderzoeker” had moeten worden aangevraagd.

Om in aanmerking te komen voor het verblijfsdoel “onderzoeker” in de zin van de Richtlijn (EU) 2016/801 dient de onderzoeker te schikken over een dienstverband met de onderzoeksinstelling. Op het aanvraag formulier van de IND voor een verblijfsdoel “onderzoeker” dient de onderzoeksinstelling (referent) te verklaren dat de onderzoeksinstelling in het bezit is van een gastovereenkomst of aanstellingsbesluit waaruit de duur en de aard van het dienstverband en het overeengekomen inkomen blijkt.

Aangezien de DBA studenten niet in dienst komen van ons instituut kunnen we derhalve ook geen verblijfsvergunning onder de beperking “onderzoeker” aanvragen.

Wij verzoeken de Commissie dan ook om deze zin op pagina 9 alsmede de zin op pagina 10 die hierop betrekking heeft, te verwijderen.

**ONDERZOEKSVRAAG 2**

De LC verwijst naar de Doctoral brochure uit 2009

Bij de beantwoording van de gestelde vragen d.d. 22 mei 2018 ( verstuurd d.d. 24 mei 2018) zijn wij uitgegaan van de stand van zaken op dat moment en niet op het onderwijsaanbod op enig ander tijdstip in het bestaan van MSM. Wij vragen ons af wat het belang is van de vermelding van het onderwijsaanbod in 2009 in een rapport van 2018. Wij verzoeken de Commissie dan ook deze verwijzing te verwijderen.

**ONDERZOEKSVRAAG 3, 4 en 5**

Op pagina 10,11 en 12 geeft u een aantal malen aan dat het antwoord van MSM dat er in het buitenland alleen deeltijd onderwijs wordt aangeboden niet in overeenstemming is met de website en verwijst u naar de MSc opleidingen in samenwerking met de RWTH Aachen.

De MSc opleiding in samenwerking met de RWTH in Aachen is een programma waaraan geen graad van MSM verbonden is. Het programma leidt tot een MSc graad die verleend wordt door de RWTH Aachen. In dat kader hebben we de onderzoeksvraag ook beantwoord.

We verzoeken de Commissie uit de onderzoeksresultaten te verwijderen dat het antwoord van MSM niet in overeenstemming is met de website.

Alle programma's die MSM in het buitenland aanbiedt vallen niet onder de werking van de Gedragscode.

#### ONDERZOEKSVRAAG 6

Onderwijsprogramma's zijn niet statisch, maar aan verandering onderhevig. De veranderingen in een programma worden doorgevoerd in de EER en kenbaar gemaakt op de website van MSM alsmede via andere communicatiekanalen.

De MPhil is een onderdeel van het DBA programma en studenten die deze fase afgerond hebben ontvangen thans een diploma van MSM. Dit wordt ook aangegeven in artikel 2.1.1 van de EER 2017-2018. Tevens wordt vermeld dat de MPhil geen erkend Nederlands Master diploma is, zie: <https://www.msm.nl/resources/uploads/2018/05/Education-and-Examination-regulations-EER-DBA-program-2017-2018.pdf>

Het deeltijds DBA programma valt niet onder de werking van de Gedragscode.

#### ONDERZOEKSVRAAG 9

Bij deze vraag is een verkeerde print screen geplaatst. We verzoeken de Commissie om de print screen te plaatsen die hoort bij de verstrekte link.

#### ONDERZOEKSVRAAG 10

##### **Pagina 17**

Op pagina 17 staat dat MSM in de database van de ACBSP is opgenomen met business programma's o.a. op het niveau van Baccalaureate Degree/4-year. Wij bieden deze programma's niet aan en bovendien staan we niet als zodanig opgenomen in deze database. Derhalve verzoeken we de Commissie om dit te verwijderen.

##### **Pagina 18 programma in samenwerking met Nichols**

Op pagina 18 staat dat MSM in samenwerking met Nichols College een double degree MBA/Ma programma aanbiedt, dit moet zijn MBA/MM programma. Wij verzoeken de Commissie dit aan te passen.

##### **Pagina 18 inzake ATHEA**

Op pagina 18 geeft de Commissie aan dat ATHEA niet erkend is als een accreditatie organisatie of kwaliteitsbeoordelende instantie in het Europese hoger onderwijs en niet is opgenomen in het European Quality Assurance Register en geen lid is van de European Association for Quality Assurance in higher education.

ATHEA is een vrij jonge accreditatieorganisatie. Voor de status van ATHEA verwijzen wij de Commissie naar hun website: <http://www.athea.org/>

*"The Association for Transnational Higher Education Accreditation (ATHEA) is a voluntary, non-governmental, membership association that is dedicated to quality assurance through institutional accreditation".*

Een van de hoogste prioriteiten voor ATHEA is om geregistreerd te worden in het European Quality Assurance Register (EQAR) in higher education. Om hiervoor in aanmerking te komen heeft ATHEA reeds de ESG (European Standards and Guidelines) in haar accreditatie standaards opgenomen. Vereisten voor de registratie in EQAR zijn tevens dat een accreditatie organisatie tenminste twee jaar bestaat alsmede dat de accreditatie organisatie tenminste 15 geaccrediteerde leden heeft. Zodra ATHEA aan het laatste vereiste voldoet zal er een aanvraag worden ingediend om geregistreerd te worden in EQAR.

#### **Pagina 18 Studyfinder**

Op pagina 18 staat vermeld welke accreditaties vermeld de twee Master programma's van MSM zijn opgenomen in Studyfinder.

We hebben geconstateerd dat niet alle accreditaties vermeld staan in Studyfinder, hetgeen kennelijk te maken heeft met hun software. We hebben de gegevens nogmaals aangepast in Studyfinder.

#### **Pagina 20 en 22 MSC/MBA**

Op pagina 20 en 22 wordt aangegeven dat de informatie "All MSc / MBA programs offered in the Netherlands are subject to NVAO accreditation" op de website van MSM onjuist is en aangepast zou moeten worden.

Een MBA opleiding is de facto een MSc opleiding. Op grond van artikel 7.19a jo 7.10a WhW kan aan de Master graad MSc worden toegevoegd alsmede de specialisatie.

We hebben de NVAO reeds in 2017 verzocht om de graadtoevoeging in in CROHO te kunnen aanpassen. NVAO heeft aangegeven dat deze wijziging pas doorgevoerd kan worden zodra het cluster Bedrijfskunde waarin onze graad is ingedeeld voor 70% geaccrediteerd is. Op 17 juli 2018 is bekend gemaakt dat de graadtoevoeging uit de Referentielijst internationale herkenbaarheid titulatuur hoger onderwijs voor 70% geaccrediteerd is, zie:

<https://www.nvaio.net/actueel/nieuws/afroding-gefaseerde-invoer-hbo-titulatuur-70-regeling>

Inmiddels hebben we NVAO dan ook verzocht om een formele bevestiging zodat we de graadtoevoeging aan kunnen laten passen naar "Master (of Science) in Business Administration".

De informatie op onze website is derhalve correct en we verzoeken de Commissie om deze zinnen op pagina 20 en 22 te verwijderen.

#### **OORDEEL**

#### **Pagina 23**

De verklaring van de negatieve score bij de asterik is niet duidelijk en als gevolg van deze onduidelijke waardering zou dit onnodig schade kunnen berokkenen aan MSM.



Wij verzoeken u de negatieve score te verwijderen en een asterik te plaatsen bij de positieve score met de volgende verklaring:

“ Deze norm heeft uitsluitend betrekking op het aanbieden van geaccrediteerde graad verlenende opleidingen in de zin van de WHW.

MSM biedt daarnaast ook graad verlenende opleidingen aan die geaccrediteerd zijn door buitenlandse accreditatie organen en die niet leiden tot een WHW graad, maar tot een buitenlandse graad. De WHW verbiedt niet om graden te verlenen gebaseerd op buitenlandse accreditaties mits er voldaan wordt aan het kenbaarheidsvereiste”.

Het verheugt ons dat de Commissie heeft geconstateerd dat MSM voldoende scoort op alle onderdelen van het Normenkader Gedragscode

Zoals de Commissie zelf op pagina 21 aangeeft heeft MSM bereidwillig meegewerkt aan het onderzoek en ook nu hebben wij inhoudelijk gereageerd op alle onderdelen van de concept onderzoeksresultaten.



De Commissie constateert echter zelf ook al op pagina 21 van de concept onderzoeksresultaten dat de Gedragscode, en daarmee de bevoegdheid van de Commissie het onderwijs betreft dat in Nederland in voltijdse vorm aan internationale studenten wordt aangeboden.

Dit betekent dat de Gedragscode slechts van toepassing is op 2 van de 37 programma's van MSM. Het overgrote deel van het rapport heeft echter betrekking op programma's die niet vallen onder de werking van de gedragscode.

Wij verzoeken u dan ook uitdrukkelijk om alvorens over te gaan tot publicatie van de onderzoeksresultaten, alles uit het rapport te verwijderen dat niet betrekking heeft op onderwijs dat in Nederland in voltijdse vorm aan internationale studenten wordt aangeboden, dit ten einde verwarring alsmede eventuele nodeloze schade voor MSM te voorkomen.

We behouden ons alle rechten voor.

Met vriendelijke groet,

  
 Ms. Katalin Kovacs, MPA  
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