

Annual Report

2017

National Commission
Code of Conduct
Higher Education

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Introduction

In this Annual report we look back at the activities of the National Commission in 2017. In March 2017, the Commission completed the evaluation of the Code of Conduct in cooperation with the educational institutions, umbrella organisations, representatives of the Ministry of Education, Culture and Science, the immigration service IND and other interested parties. The result is a new version of the Code of Conduct which entered into force on 1 September 2017. For this purpose, particular use was made of the experiences and suggestions from the field of education; the primary users of the Code of Conduct. Further on in this Annual Report, you can read more about the new version of the Code of Conduct and the most relevant changes.

In 2017, the Commission also published two investigations in the context of Chapter 2 of the Code of Conduct, on the provision of information to international students. The Commission considers it important that international students are provided with complete, up-to-date and adequate information before they come to the Netherlands to study. In its first sub-study, the Commission investigated how the educational institutions inform international students about their educational offer and how the various public registers with educational information relate to one another. In the second sub-study that followed, the Commission investigated how the institutions inform students about the quality and/or the accreditation of the study programmes on their own websites, and how students are informed about this subject in the various public registers. In addition, the Commission received three petitions in 2017. These will be briefly explained.

More generally, for the benefit of the interests of international students, in the past year the Commission has worked to ensure that international students are properly informed about the situation on the housing market. The Commission considers it important that students are well informed about the risks and opportunities. The Commission considers that the institutions have a primary duty in this. It will continue to follow this line in the coming year.

Register Code of Conduct

In 2017 the Register Administrator, the Executive Agency for Education (DUO), received one application for entry in the register of the Code of Conduct. This application was subsequently withdrawn by the institution on its own initiative on the grounds that during the application procedure, it turned out that the accreditation requirement as formulated in Article 5.2 of the Code of Conduct could not be met.

Furthermore, at the end of December, an institution established in the United Kingdom contacted the Register Administrator with several questions on the conditions for inclusion in the register. The institution indicated that it aspires to establish an offshore location in the Netherlands. The institution is expected to apply for inclusion in the register in 2018. It is expected that as a result of the United Kingdom's withdrawal from the European Union, more institutions from the United Kingdom will wish to open a branch in the Netherlands.

The register of the Code of Conduct, which can be consulted on www.internationalstudy.nl, counted 76 educational institutions on 31 December 2017.

New version Code of Conduct

At the beginning of 2016, the evaluation of the Code of Conduct on the initiative of the National Commission was launched. A year later, the process was completed and the result was a new version of the Code of Conduct, which entered into force on 1 September 2017. In addition, the Rules and Regulations have been updated. The Code of Conduct provides for a review of its content and functioning to take place every five years. The purpose of the evaluation is to update and improve the text of the Code of Conduct, in collaboration with the educational institutions, umbrella organisations, international students and government parties involved.

Process

To guide the evaluation, a working group was set up consisting of representatives of the umbrella organisations: the NRTO, the Association of Universities of Applied Sciences and the VSNU, as well as the administrative office of the National Commission, with an advisory role for the Ministry of Education, Culture and Science and the IND. The main task of this working group was to identify any points for improvements with the umbrella organisations, educational institutions and the parties involved in the Code of Conduct, to expand on them and to monitor the process. The educational institutions and other parties with an interest in the Code of Conduct have been approached in various ways to make suggestions for improving the text of the Code of Conduct. Talks were also held with several international students about their experiences with the provision of information and guidance by educational institutions, as well as about their knowledge of the Code of Conduct. These surveys provided valuable suggestions for improvements of the text of the Code of Conduct. A number of suggestions could be taken up relatively easily and translated into adjustments to the text of the Code of Conduct. The more complex issues were discussed in a seminar with experience experts from educational institutions and other organisations interested in the Code of Conduct. The seminar included extensive discussions with educational institutions, umbrella organisations and other interested parties about the functioning of the Code of Conduct.

Adjustments

The evaluation did not lead to major changes, but rather reconfirmed the Code of Conduct. Many of the amendments to the Code of Conduct are of a textual or a more technical/legal nature. The new Code of Conduct entered into force without any difficulties on 1 September 2017. The most notable changes are the update of the language table and the addition of an exception of the obligation to take a language test for international students who have obtained the International Baccalaureate Certificate for English A Language and Literature. The increasing offer of joint and multiple degrees has also been taken into account. As regards the obligation to take a language test, it has been laid down that the higher education institutions may make separate agreements regarding the language requirement within the applicable frameworks of the Code of Conduct. In these cases, the language test will only have to be taken once. In addition, the Commission's powers were set out in more detail in the Code of Conduct. This involved a description of the existing working method. The Commission looks back on the carefully designed process with satisfaction. The Code of Conduct provides for a review in five years' time to assess the need to update it. If desired, the Code of Conduct can also be amended earlier. The Rules and Regulations inherently connected to the Code of Conduct have also been updated in response to the new version of the Code of Conduct. The Rules and Regulations further elaborate on the provisions of the Code of Conduct. The Commission adopted the document in a separate process, after which it was circulated together with the new version of the Code of Conduct. The main change concerned the description of the Commission's working methods.

The Commission would also like to draw your attention to the fact that the educational institutions must include the correct version of the Code of Conduct and the Rules and Regulations on their websites.

National Commission

In the past year the Commission's main focus has been on completing the evaluation and on adopting a new version of the Code of Conduct, but the Commission has also continued its regular work with full attention. In 2017, the Commission received three petitions, carried out two investigations and issued two newsletters to update you on the latest developments. You can read more about it in the following sections.

Petitions

In 2017 the Commission received a petition from a student about conduct and events related to the decision of the Examination Board of the Faculty of Law of the Vrije Universiteit, in which the Examination Board established that the petitioner committed fraud during the examination of European constitutional law and administrative law, as a result of which she was awarded the mark 0 (the lowest mark possible). The petitioner claimed, inter alia, that she had been wrongly accused of fraud. In addition, the petitioner considered that she was wrongly awarded marks that were too low, that her dyslexia was not sufficiently taken into account, and that she had been discriminated against on the basis of her nationality, culture, internet usage and political affiliation. In the course of the present case, the petitioner was a Dutch national and therefore did not meet the definition of international student set out in the Code of Conduct, a condition for admissibility. In the period prior to that, the petitioner was stateless and did not meet the definition either. The Commission is only competent to give a judgment on Code of Conduct issues that affect international students. This does not include petitions from students of Dutch nationality.

In addition, the Commission received two petitions in December 2017 concerning conduct of the Management School Maastricht (MSM). The first petition was submitted on behalf of a private organisation providing educational and research services. The petition related to the provision of information by MSM and its partners via various websites, regarding the education offered. The second petition was submitted by a former international student of MSM and also concerned the provision of information by MSM. The Commission is awaiting MSM's defence and will discuss both petitions in 2018.

Investigations

By signing the Code of Conduct, the institutions have committed themselves to providing simple, accessible and clear information to international students about, among other things, the offered courses. In the first sub-study published by the Commission in 2017: *Investigation into the provision of information about study programmes*, a study was carried out into the provision of information via the websites of the institutions and the various public registers. The Commission restricted itself to investigating 12 educational institutions. Three members of each umbrella organisation and three educational institutions that are no member of an umbrella. The Commission opted for desk research in order to minimise the burden on educational institutions. The educational offer is made public through various registers and channels: the institution's own website, the CROHO, the register of NVAO, the databases of Studykeuze123 and Studyfinder. All of these were included in the investigation. It is important to note that some registers are not primarily designed to inform international students, but do contain information about programmes that are offered to international students as well. Large differences exist between the different databases. These include differences in the official or formal nomenclature of study programmes and the inclusion or exclusion of graduation tracks or short-term study programmes/courses. In addition, there are differences between the websites of the institutions and the various databases. Here, too, a difference can be observed between the number of registered study programmes, specialisations and whether or not these are graduation variants or completely different study programmes. This is often due to the fact that the official names of study programmes are abandoned in the context of recruitment. Sometimes agreements are even made about the differences in the names of study programmes because of branding. Such internal agreements should not preclude the obligation to be clear about the diploma or the degree associated with the study programme. The most important conclusion of the study was that it is insufficiently clear what exactly is meant by the offer of study programmes to international students. The problem is not easy to solve, but the Commission considers it very important to point out

that currently the information varies enormously. It leads to a lack of clarity that should be avoided from the perspective of the Code of Conduct.

In a follow-up study, the provision of information about the accreditation of the study programmes offered was investigated. Because this investigation builds on the results of the previous report, the same 12 educational institutions were selected. The investigation has shown that information on accreditation is being provided in an inconsistent manner. The databases leave a great deal of freedom to the institutions to fill in the information themselves. There were also differences in the way information is provided on the institutions' own websites. For this reason, the provision of information is not always complete or correct. The number of accreditation bodies used is remarkable, irrespective of the question of the equivalence of these organisations. The institutions mainly make use of accreditation by NVAO and furthermore of several foreign accreditation organisations. This fits within the framework of the Code of Conduct as long as it concerns an accreditation organisation whose decisions are recognised by the relevant government. Institutions are obliged to provide information about the accreditation of the study programme, particularly in case of a foreign accreditation in relation to the acknowledgement and legalisation of the degree and diploma by the Dutch government.

The results of both studies were discussed at the biennial meetings between the Commission and the director of the NRTO, the chairmen of the Association of Universities of Applied Sciences and VSNU and their official support in May 2017. The importance of the surveys and the provision of good information was emphasised by the umbrella organisations, which, among other things, was shown in the official response by the NRTO, which was published by the Commission on the website of the Code of Conduct (news post September 2017, in Dutch only). The findings of the Commission were well received by the investigated 12 institutions and in many cases led to an update of the information on their websites. It has been agreed with the umbrella organisations that the Commission will carry out an annual examination of five institutions on the basis of the above theme. In addition, it was discussed with the umbrella organisations that more clarity is needed for the institutions about which foreign accreditation organisations meet the requirements of Article 5.2 of the Code of Conduct. For this reason, during the summer months, the umbrella organisations and the Commission worked towards a solution in the form of a non-exhaustive list of accreditation organisations that meet the requirements of the Code of Conduct. The list was drawn up on the basis of the foreign accreditation organisations that emerged from the Commission's investigation, supplemented by suggestions from the field. The list was adopted in October 2017 with the agreement of the umbrella organisation and with the approval of the Commission, and is annexed to the Code of Conduct. It was agreed that the list will be revised annually, with the option to include new accreditation organisations in the meantime.

Newsletters

In 2016, the Commission started distributing a digital newsletter, in which it writes about its activities and informs the reader about relevant developments affecting the Code of Conduct and international students. The newsletter is distributed digitally twice a year and its posts remain available for consultation on [the website](#). In the meantime, 192 readers have registered to receive the newsletter digitally.

In its first newsletter of 2017, the Commission reported on the evaluation process in its final phase, the new version of the Code of Conduct and informed the reader of the two investigations it published in the first half of 2017. Paul Rullmann, member of the Commission on behalf of the VSNU, introduced himself to the reader. In the second newsletter of 2017, the Commission announced that it intended to conduct an investigation into the study progress and supervision of international students (please see below for more information), and that a list of foreign accreditation organisations had been drawn up and published in the context of Article 5.2 of the Code of Conduct. Frans Kuipers, Commissioner appointed by the Association of Universities of Applied Sciences, wrote about his experiences as a member of the Commission and said that he would soon be saying farewell.

The newsletter is published twice a year. If you would like to receive it automatically, you can sign up by sending a message to: info@internationalstudy.nl.

Housing

In the past year there were regular reports in the media about the accommodation of students, and in particular attention was paid to the problems international students meet in finding a room before the start of the academic year. The number of students (living in lodgings) is increasing, but the supply of

suitable rooms to live in lags behind. Not only this problem, but also the resulting criticism with regard to the internationalisation of education, affects the field of education and damages the image of the Netherlands as an attractive study destination. Article 5.4 of the Code of Conduct states that the higher education institution must make clear what services it offers to the international student in the context of obtaining a visa and a residence permit, accommodation, introduction and supervision. The higher education institution also has to indicate clearly in its information materials in accordance with Article 2.1 which services it offers in this context and what the associated costs are. During the thirty-member debate in Dutch Parliament in October 2017, the Minister of Education also stressed that by signing the Code of Conduct, the institutions had committed themselves to providing proper and complete information to international students, including about the housing situation. Creating a clear picture, that points out to the international student that there are few student rooms available, what the approximate rent of the available lodgings are and which organisations or institutions can be consulted for housing or assistance on the subject, enables students to make a better choice for a specific city or institution as a study destination. In 2018, the Commission will continue to accentuate this line and ensure that institutions take their responsibility for providing students with the best possible information.

Composition

The composition of the Commission remained unchanged in 2017. The Commission did, however, have to say farewell to two deputy members: Luut Kroes and Janco Bonnink. The Commission would also like to take this opportunity to express its gratitude for the dedication of both to the functioning of the Code of Conduct and the performance of the Commission's tasks.

Composition of the National Commission (31 December 2017)

FUNCTIO N	NAME	CAPACITY	UMBRELLA
chairman	Mr Joris van Bergen	Former member Executive Board Eindhoven University of Technology and of Leiden University, former chairman SURF	-
acting chairman	Mr Paul Rullmann	Former Board Member Delft University of Technology, chairman Higher Education Efficiency Committee	VSNU
member	Mrs Karen Ali	Director Fundraising Development, TU Eindhoven	VSNU
member	Mrs Susana Menéndez	Member Executive Board The Hague University of Applied Sciences	The Netherlands Association of Universities of Applied Sciences
member	Mr Frans Kuipers	Former president Noordelijke Hogeschool Leeuwarden	The Netherlands Association of UAS
member	Mr Jan-Albert Dop	Former member Executive Board Webster University Leiden	NRTO
substitute member	Mr Janco Bonnink	Coordinator Corporate Affairs VU University Amsterdam	VSNU ¹
substitute member	Mr Luut Kroes	Director Education & Students University of Groningen	VSNU ²
substitute member	Mr Joep Houterman	Member Board of Directors Aeres Groep	The Netherlands Association of UAS
substitute member	Mr Rob Verhofstad	Member Executive Board Hanze UAS	The Netherlands Association of UAS ³
substitute member	Mr Jan van der Heijden	Member Executive Board Hogeschool Dirksen	NRTO

¹ Resigned per 1 January 2018

² Resigned per 1 June 2017

³ Substitute member as of 1 June 2017

Financial paragraph

As in previous years, the attendance fees of the chairman, members and deputy members of the Commission were settled at the end of each quarter in 2017. For this reason, an Attendance Fee Decree was compiled in consultation with the Ministry of Education, Culture and Science, which can be found on the website of the Code of Conduct. The Decree was updated in consultation with the Ministry in 2017. The following table accounts for the amounts paid in each quarter. The Commission met five times during the past year.

Attendance fees, including travel expenses and VAT 2017 vs 2016

Period	2017	2016
Q1	€ 5,328.21	€ 5,705.49
Q2	€ 6,421.57	€ 5,668.82
Q3	€ 2,888.85	€ 2,673.05
Q4	€ 2,978.25	€ 6,243.67
Grand total	€ 17,616.88	€ 20,291.03

Preview 2018

In the coming year, the Commission will continue to put the interests of international students at the heart of its work. It does this first of all by carefully dealing with the petitions it receives, as well as the signals where the Commission will play a rather more mediating role between the institution and the student in order to avoid larger problems. As already mentioned, the Commission received two petitions in December 2017, which will require its attention in the first few months of 2018. Additionally, in the coming year the Commission will use its investigations to try to make a positive contribution to the quality – and as a result the attractiveness – of Dutch higher education for international students.

Investigation

Annual survey provision of information

As a response to the reports published by the Commission on the provision of information on study programmes and the accreditation status of these programmes, it was agreed in a joint meeting of the Commission and the umbrella organisations that the Commission would carry out an annual survey of five educational institutions on the subjects in question. The research will focus on the websites of the higher education institutions, because this is the primary channel for communication with the (prospective) international student. In the autumn of 2017, there was a lot of media attention for the accommodation of international students. The provision of information on this subject is regulated in the Code of Conduct. For this reason, the subject is included in the periodic survey. The Commission attaches great importance to students being well informed about the current housing market situation and the possibilities or limitations in finding accommodation.

Study progress and supervision

By signing of the Code of Conduct, the institutions have taken on the duty of care for the supervision of international students. In Article 2.1, the higher education institutions have undertaken to inform international students about the study progress standard and the consequences of not meeting this requirement. Article 5.5 of the Code of Conduct sets out the study progress with which an international student, both EU and non-EU, must comply. In case of insufficient study progress, the institution will determine the cause, for example by conducting a study progress interview with a student advisor. In addition, in case of a non-EU student who fails to perform satisfactorily without a valid reason being given, the institution will be obliged to deregister the student with the IND. The purpose of this provision is, on the one hand, to promote the student's progress and, on the other hand, to provide a better insight into the student. The Commission wants to investigate how the educational institutions implement the monitoring of the study progress and supervision of international students and how they inform students about this standard. The investigation is primarily focused on the interests of the international student, but at the same time it is also directed on the interests of the educational institutions. In the last quarter of 2017, the Commission started to explore the subject. To this end, it has sought to link up with the existing consultation structures of umbrella organisations (UPI, HIB, KBS and a consultation organised by the NRTO). The preliminary result is that the institutions thought it an interesting issue on which the views on the effectiveness and desirability of the provision diverged. The subject is particularly suited to a broader discussion. In 2016, the Commission organised a seminar regarding the evaluation of the Code of Conduct. The seminar was well received by the participants. The Commission therefore intends to organise another seminar in the coming year, in which the standard of study progress and supervision will be put on the agenda.

PhD students

The position of doctoral – or PhD – candidates in Dutch higher education has been shifting in recent years. In the hope that the Dutch system of doctoral candidates will be more in line with international developments, an experiment was started in 2016 in which doctoral students will be given the opportunity to obtain a PhD at a university. Most European countries have a mixed system having PhD students with either a status as a student or an employee. The doctoral candidates receive a scholarship from the university, they are not employees and do not perform teaching tasks. As a result, the position of the doctoral candidate is increasingly similar to that of a regular student in higher education. At the time, the Commission was faced with the question whether the doctoral candidate would be covered by the Code of Conduct. In 2016, this was discussed with the umbrella organisations and the question was answered negatively. The Commission will be confronted with this question again in the year ahead. The communications and petitions it receives are relatively frequently about PhD or DBA programmes. This is also reflected by the decisions on petitions. In view of its task and its care for international students, the Commission considers it important to follow the developments concerning the position of PhD students and, if necessary, to raise for discussion the subject of its powers and its role.

Informative videos

Over the last 1.5 years, the Commission has been working on its communication towards the institutions. To this end, it has developed a new website and publishes a newsletter twice a year in which it informs the reader about its activities and relevant developments. In the coming year, the Commission will focus on its own provision of information on the Code of Conduct to international students. The idea is to develop two short informative videos on the Code of Conduct. The first video will explain the contents of the Code of Conduct and what it means for the student. The second video will be about the petitioning process and how to proceed step by step. The videos will be developed by three students of Hanze University of Applied Sciences in the context of an educational assignment. The videos are expected to be ready by the end of February 2018.

Credits

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