

Code of Conduct International Student in Higher Education

Revised on 1 October 2022

Preamble

Considering that

Dutch higher education aims to improve and strengthen international cooperation and to make the Netherlands and its educational institutions known abroad as a knowledge society;

The educational institutions wish to attract talented international students and to establish a streamlined and coordinated guideline for the relationship between international students using this Code of Conduct;

Within that framework, the educational institutions wish to inform international students comprehensibly, accessibly and unambiguously about the quality of the study programme, its place within the Dutch system, the provided facilities, the costs of studying and living, as well as the admission requirements for international students;

The higher education institutions may only use the Dutch government's internationalisation policy instruments provided the institution maintains a proper relationship with international students. The Dutch government supports and provides relevant information to the higher education institutions that subscribe to and implement this Code of Conduct;

The higher education institutions endorse the interest that international students will have the opportunity to learn the Dutch language and acquire cultural skills;

The Dutch government has decided that the signing of the Code of Conduct by the educational institutions is a precondition for granting residence permits to non-nationals of the EU/EEA or Switzerland for studying in higher education;

By signing the Code of Conduct, the educational institution is obliged to comply with the obligations set out in the Code of Conduct and to act in the spirit of the Code regarding issues that are not covered by it;

To achieve the abovementioned objectives, further agreements supplementary to the legal framework should be made. The existing legal framework includes, at any rate, the Higher Education and Research Act (*Wet op het Hoger Onderwijs en Wetenschappelijk Onderzoek - WHW*), the Aliens Act 2000 (*Vreemdelingenwet*), the Aliens Decree 2000 (*Vreemdelingenbesluit*) and the Aliens Act Implementation Guidelines 2000 (*Vreemdelingencirculaire*).

The higher education institutions have agreed to comply with the following lines of conduct and acts:

1 *Definitions*

Admission to the study programme:

The positive outcome of the evaluation by the higher education institution of at least preparatory education, language skills and diplomas of the international student who requests admission and registration for a specific study programme.

Agent:

An individual, company or other organisation that provides services on a contractual basis to (prospective) international students desiring to study in the Netherlands, or that provide services to educational institutions organise information activities and recruit international students.

Code of Conduct:

This document.

Education:

All higher education - including preparatory education and the premaster - offered to international students by or under the higher education institution's responsibility.

Educational institution:

An institution that:

- is funded according to the WHW, has been designated or is a legal entity providing higher education and that
- provides higher education, accredited as referred to in Article 6.2, or
- subsidised within the framework of Article 2 of the Ministry of Foreign Affairs (Grant) Framework Act (*Kaderwet subsidies Ministerie van Buitenlandse Zaken*) and the Ministry of Foreign Affairs Grant Regulations 2006 (*Subsidieregeling Ministerie van Buitenlandse Zaken*), and
- that has signed this Code of Conduct and registered as a participating institution by the Register Administrator.

Exchange student:

An international student who continues, will continue or has continued their education at a higher education institution in the Netherlands in the context of an exchange programme for at least 3 months up to 12 months and who will not be enrolled and graduated as a regular student.

International student:

An EU or non-EU student with a non-Dutch nationality who continues, will continue or has continued their full-time education at a higher education institution in the Netherlands based on a residence permit granted to this effect.

National Commission:

The Commission, as referred to in Section 8.

Parties concerned:

The international student, the higher education institutions, the Dutch Association of Universities of Applied Sciences (*Vereniging Hogescholen*), the Dutch Council of Training and Education (NRTO) and the Universities of the Netherlands (UNL), as well as the Ministries of Foreign Affairs (BZ), Education, Culture and Science (OCW), Social Affairs and Employment (SZW), and Justice and Security (JenV).

Premaster:

A - customised - programme offered to international students to be admitted to the master's programme.

Preparatory education:

The programme that covers the deficient subjects, including the preparatory language skills programme, lasting no longer than one year, which is offered to international students by or under the higher education institution's responsibility with the objective of admission to the regular study programme.

Private provider of preparatory education:

An organisation or company that provides services on a contractual basis to an educational institution by organising programmes for international students to prepare themselves for studying at an institute of higher education.

Proportional nominal study load:

The nominal study load for one academic year (registration period).

Reference period:

The period in which an international student has been granted a residence permit for studying at the same educational institution.

Register:

The public Register of higher education institutions that have signed the Code of Conduct that the Register Administrator maintains.

Register Administrator:
The Education Executive Agency (*Dienst Uitvoering Onderwijs*).

Registration:
The administrative action by the educational institution upon the request of the admitted international student with the ensuing rights and obligations related to following educational programmes.

Third-country nationals:
Individuals from other countries than Switzerland or the Member States of the EU/EEA who continue or will continue a full-time study programme at an educational institution established in the Netherlands.

Umbrella organisations:
Vereniging Hogescholen, NRTO and UNL.

2 Information provision

- 2.1 The educational institution shall provide, amongst others through its website, timely, reliable and easily accessible information to international students about the study programmes offered and practical details relating to living in the Netherlands, covering at least:
- a. The accreditation of the study programme as referred to in Section 6.2. 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, 4 and 5;
 - 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, 5 and 6;
 - f. The standardisation of the student progress as referred to in Section 6.5 en 6.6;
 - g. Housing and the Dutch housing situation, how to take out a health insurance policy and open a Dutch bank account;
 - h. This Code of Conduct.

Furthermore, the educational institution shall provide a description of the knowledge and skills the international student will have acquired after successfully completing the study programme.

- 2.2 The information provided by the educational institution to the international students based on this Code of Conduct shall either be in English, the language of instruction or the international student's native language.
- 2.3 The higher education institution shall ensure that its advertising and presentations indicate the nature of the higher education institution and its education programmes. In this, in its information and when recruiting international students, it shall act following the rules and standards laid down in the [Advertising Code of the Netherlands Advertising Code Commission \(Nederlandse Reclame Code Commissie\)](#), particularly [the general code \(I\)](#) and the [special advertising code for courses \(II-b\)](#). The higher education institution shall use a name in the English language that reflects the nature of the institution.

3 Agents

- 3.1 If the educational institution commissions an agent to provide information to and recruit international students, the educational institution shall record the arrangements in a written agreement with the agent.
The educational institution shall ensure that the agent acts in agreement with and in the spirit of this Code of Conduct. The information, recruitment and selection process can be contracted

out partly or wholly, but the educational institution shall remain responsible for the admission of international students.

- 3.2 The written agreement between the educational institution and the agent shall include at least:
 - a. The responsibilities;
 - b. The tasks, roles and obligations of both parties;
 - c. The conditions for admission to the study programme, and in the case of preparatory education, the requirements for progression to the envisaged study programme;
 - d. The payment of possible recruitment and broker costs to the agent;
 - e. The obligation to evaluate the collaboration at least once every four years;
 - f. The National Commission's right of inspection of the agreement (see Section 8).
- 3.3 The educational institution only hires agents with extensive knowledge of the Dutch higher education system needed to provide information and to recruit. The educational institution shall ensure that its agent has access to current and adequate information about the institution's educational programmes.
- 3.4 The higher education institution shall terminate the collaboration if an agent behaves in a negligent, careless or incompetent manner or is involved in false, misleading or unethical advertising and recruitment. Such behaviour may include activities that can damage the good name of Dutch higher education. The higher education institution also regularly informs itself of the experiences of international students.
- 3.5 Upon request of the National Commission, the educational institution provides the agreement it has with the agent for inspection.

4 *Private providers*

- 4.1 Everything stipulated in Section 3 regarding the collaboration with agents shall equally apply to the partnership with private providers unless specified otherwise in this Section.
- 4.2 The educational institution and the private provider will prepare a plan together that includes at least the following items:
 - a. The information and recruitment strategy;
 - b. A list of countries;
 - c. The admission requirements for the preparatory education;
 - d. An overview of the admission and post-admission procedures that include the institution's tasks, roles and obligations and those of the provider.
- 4.3 Together with the private provider, the educational institution will prepare a joint structure to guarantee the quality of the preparatory education that includes at least the following items:
 - a. A description of which preparatory programme links to which study programme or programmes;
 - b. A description of the curricula and the associated examinations and how these align with the educational institutions' study programmes;
 - c. The evaluation system;
 - d. The structure of adapting the curriculum.
- 4.4 During the preparatory programme, the educational institution and the private provider will promote the integration of international students into the envisaged study programme.
- 4.5 The educational institution and the private provider will collaborate to evaluate at least once every four years. The following subjects will be covered:
 - a. The intake in the preparatory programme against the progression to the envisaged study programme at the educational institution;
 - b. The study success in the preparatory programme and the study programme at the educational institution;
 - c. The admission requirements of the preparatory programme;
 - d. The relation between the preparatory programme and the educational institution's internationalisation vision;
 - e. The development of the collaboration.

5 Admission to and registration in the study programme

- 5.1 When an international student applies for registration with a higher education institution, their admissibility will be assessed. The assessment will include at least the required preparatory education and sufficient language skills (see Section 5.2). The educational institution will determine the preparatory education requirements before the recruitment of international students for the study programme in question and check whether the international student has satisfied the requirements before admission.
- 5.2 Concerning the education it offers to international students, the educational institution will determine the minimum language requirements that the international student must meet and make sure that they have satisfied these requirements.

For study programmes in Dutch, the international student must be sufficiently proficient in the Dutch language to successfully continue the programme, as stipulated in Article 7.28.2 WHW.

The English language requirement for international students who apply for an English language study programme is to have passed a test with the minimum score in the table below¹:

For admission to:	IELTS, TOEFL, TOEIC and Cambridge English grades & scale				
	IELTS academic and an overall band score	TOEFL iBT Traditional & Paper Edition (test to be taken in an examination centre)	TOEIC ²		Cambridge English grades & scale
			Listening and Reading	Speaking and Writing	
education at Bachelor's and Master's level or premaster's level.	6.0	80	670	290	First (FCE) - Grade B (scale 173 - 175) First (FCE) - Grade C (scale 169 - 172)
preparatory education with a duration of up to six months	5.5	70	620	260	First (FCE)- Grade C (scale 162-168)
preparatory education with a duration of six to twelve months	5.0	60	600	240	First (FCE) - Grade C (scale 160-161) B1 level certificate (scale 154 - 159)

If a higher education institution has reasonable doubt about the language test certificate, and consequently about the international student's English proficiency, the higher education institution shall take measures to assess whether the student meets the minimum language requirements.

- 5.3.a Contrary to Section 5.2, a higher education institution *may* exempt international students who have had their preparatory education in English from taking a mandatory language test. It also applies to students with an International Baccalaureate Certificate for *English A Language and Literature*. The National Commission may request that the higher education institution provides a statement from the NUFFIC confirming that the preparatory education has been followed in the English language. Furthermore, a higher education institution may exempt an international student from having to take a mandatory language test in case the student obtained a diploma of secondary education in a country listed in the diploma list drawn up on behalf of the associations of institutions of higher education, as published on the website of the Code of Conduct.

¹The table is not meant to mutually compare language tests or scores. It is only intended to formulate the accepted language tests and minimum scores for the admission requirements of international students. It is not related to the Common European Framework of Reference for Languages (CEFR) because the CEFR is a system with an indication of levels and not a language test. CEFR levels can cover multiple scores of the language tests listed in the table. That is why the table does not include an indication of levels but the minimum scores for a language test.

² The threshold values must be achieved for both elements.

- 5.3.b In the case of an exchange programme for a study in English as well as a joint, double or multiple degree programme in English, the agreement between the transmitting and receiving institution will contain arrangements in respect of the minimum English level. The agreement must be consistent with the standards set out in Section 5.2. Upon request of the National Commission, the higher education institution provides the agreement with the transmitting institution for inspection.
- 5.3.c The higher education institution for applied science programmes in arts may refer to modified requirements for the level of English language skills. This concerns art study programmes of the module Language and Culture registered in the CROHO. Concerning these study programmes, additional legal requirements (Article 7.26a WHW) apply, primarily in connection with the required artistic quality. These study programmes assess the English language skills within the framework of the selection process. Therefore, they are exempted from the obligation to take the language test described in Section 5.2. Given the unique nature of these study programmes, the university board will determine the desired language level and set it out in the Education and Examinations Regulations.
- 5.4 If the international student does not meet the requirements set out by the higher education institution, the higher education institution shall notify the international student in writing, motivating any refusal to admit or register the international student. The higher education institution will also indicate any legal remedies the international student can resort to concerning the refusal.
- 5.5 The international student will pay the study costs and any admission fees to the educational institution. Payment for joint, double or multiple degree programmes must be made to the appointed (international) educational institute.
- 5.6 The educational institution may charge a fee for assessment of language skills, preparatory education, and diplomas.
- 5.7 The higher education institution making the admission or registration to the study programme contingent on the successful completion of preparatory education or a premaster shall ensure beforehand that the international student can be expected to complete the preparatory education or the premaster successfully.
- 5.8 As part of each registration process, the higher education institution will request the admissible third-country national to agree in writing with the procedure used by the higher education institution to report the third-country national to the IND (whether or not with prior notice) in case the registration is terminated or after having established that the third-country national has not made satisfactory student progress as referred to in Sections 6.5 and 6.6.

6 *Offers and assistance to international students*

- 6.1 The educational institution shall meet the national legal requirements that apply to the institution.
- 6.2 The institution will offer international students only duly accredited degree education within the meaning of the WHW. The institution may only offer international students higher education accredited by the NVAO.

Furthermore, education can be offered for which the degree is based on an international legal regulation meant in Article 15.7.1.c WHW.³ In the context of the Code of Conduct, an accreditation organisation will have accredited the Dutch institution or the education offered in the Netherlands after assessment of the contents. This accreditation organisation must have the legal power to accredit higher education in the country in question. The accreditation forms the basis for issuing degrees in that country. To assess this, the Register Administrator or the National Commission may seek external advice.

³ It should be noted here that the list of accreditation organisations as published on the website of the Code of Conduct for Higher Education will continue to apply as long as the Ministry of Education, Culture and Science does not further define the term international legal regulation.

Short-term programmes at higher education level – not meaning preparatory education or a premaster – may also be offered to international students, as long as it is made up of modules that are part of accredited programmes that the same institution offers.

As defined in Section 1, preparatory education with a maximum duration of one year may also be offered to the international student. The precondition is that preparatory education or a premaster is needed to fill deficiencies so the student can be admitted to an accredited Bachelor's or Master's degree programme. Educational institutions are not allowed to offer preparatory education in combination with a degree programme with a fixed quota.

- 6.3 The educational institution will ensure that teachers have a sufficient command of the language of instruction.
- 6.4 The educational institution will specify in its information material in accordance with Section 2.1 which services it provides to international students with respect to obtaining a visa and a residence permit, housing, introduction and assistance, and the associated costs.
- 6.5 At the end of each academic year, the institution shall determine the annual student progress of third-country nationals, except for exchange students. Satisfactory student progress is considered to be achievement of 50% (or more) of the proportional nominal study load for a full or partial academic year. In the case of preparatory education and the premaster, the third-country national must have completed the programme successfully.

In the case of insufficient student progress, the institution will examine the cause, for instance, by conducting a student's progress discussion with a student advisor. Based on documents submitted by the student, the institution will examine whether personal circumstances as referred to in Article 7.51 WHW and Article 2.1 of the WHW Implementation Decree are the cause of the student's insufficient study progress.

- 6.6 If the third-country national has not achieved sufficient credit points, the IND will be notified within one month. If the institution establishes personal circumstances as in Section 6.5, the institution may decide not to notify the IND. The decision not to notify the IND does not apply to students in preparatory education or the premaster.

Per reference period, the same personal circumstances can be applied only once for not notifying the IND. Agreements with the international student will be made and documented to prevent further study delays and to ensure that the student makes the progress needed to complete their studies. The educational institution records the situation and the fact that the IND has not been notified in the third-country national's file.

The IND will be informed as soon as the institution establishes that a third-country national has terminated their registration at the institution.

- 6.7 The higher education institution is obliged to provide the study programme offered. If the study programme is cancelled for valid reasons, the cancellation cannot take place after three months before the commencement of the study programme, except for short-term courses and customised programmes. If the international student is already in the Netherlands intending to follow this study programme, the higher education institution is obliged to find a suitable alternative and to inform the international student which procedures must be followed to that effect.

7 Register of participating higher education institutions and the tasks and powers of the Register Administrator

- 7.1 The educational institution requests the Register Administrator for inclusion in the Register of the Code of Conduct by returning the signed application form. For more information see: [Application Register - internationalstudy](#).
- 7.2 The Register Administrator publishes the Register on its website in Dutch and in English. The Rules and Regulations forming part of this Code of Conduct contain further provisions concerning the Register.

- 7.3 Based on the information provided by the applicant, the Register Administrator will decide on the request for inclusion within a month and informs the applicant of the decision in writing.

The application will be rejected if the applicant does not meet the conditions and obligations referred to in the Code of Conduct, including the accreditation of study programmes by accreditation organisations as referred to in Section 6.2. The application will also be rejected if it is submitted before the period referred to in Section 8.10 has passed.

- 7.4 A higher education institution may either be removed from the Register by the Register Administrator at the institution's request or by an order of the National Commission under Section 8.10. Removal by the Register Administrator also occurs in case an institution has ceased to exist.
- 7.5 The Register Administrator will publish addition to or removal from the Register of a higher education institution on its website and will notify at least the IND and NUFFIC about it.
- 7.6 Besides the other tasks referred to in this Code of Conduct, the tasks of the Register administrator consist of:
- a. Registering complaints;
 - b. Preparing annual reports for approval by the National Commission;
 - c. Providing information to parties concerned.
- 7.7 Complaints concerning the Register Administrator can be submitted to the chair of the National Commission after the Register Administrator's internal complaint procedure has been completed. For more information, please visit [Complaints - Disagree with DUO - DUO](#).

8 National Commission

- 8.1 The umbrella organisations will establish a National Commission and define the powers of the Commission. The umbrella organisations appoint members to the National Commission for a term of office of four years. Members may be reappointed once. The Register Administrator informs the public by publishing the composition of the National Commission on its website.
- 8.2 The National Commission shall be independent and consist of six members. The UNL will appoint two members and two substitute members, the Vereniging Hogescholen two members and two substitute members, and the NRTO one member and one substitute member. The National Commission will appoint a chair who is not a part of the circle of interested parties. For the term of office of the chair, the provisions of Section 8.1 apply.
- 8.3 The task of the National Commission is to monitor compliance with the Code of Conduct and assess the actions of the higher education institutions in light of the Code of Conduct. The Commission does so by, among other things, dealing with petitions that may be submitted based on the Code of Conduct in accordance with the procedure as described in Section 4 of the Rules and Regulations. The National Commission can also initiate investigations about how an institution acts or has acted within the framework of the Code of Conduct.
- Should any complaint relate to or originate from a higher education institution with a member on the Commission, the member concerned shall step down and be replaced by a substitute member from another higher education institution.
- 8.4 After consulting with the umbrella organisations, the National Commission has drawn up Rules and Regulations that form an integral part of this Code of Conduct for the Commission to perform its tasks. These Rules and Regulations also specify how interested parties can submit petitions, how these are handled, and the possible disciplinary measures if the petition is considered well-founded.
- 8.5 Any party concerned believing that an educational institution has not acted in accordance with this Code of Conduct towards them or another person can file a petition to the National Commission in writing.

Before petitioning the Commission, the petitioner first submits the complaint to the competent authority of the educational institution.

The higher education institution shall ensure that existing or, if necessary, new internal complaint procedures are available for complaints under the Code of Conduct.

- 8.6 If the petitioner thinks that the higher education institution has not settled a complaint properly or is still of the opinion that the higher education institution does not comply with the Code of Conduct, they may submit the reason for the complaint and the response thereof received from the higher education institution to the National Commission.
- 8.7 After hearing the arguments of both parties, the National Commission shall establish whether the higher education institution in question complies with this Code of Conduct or not. The National Commission will inform the educational institution and the person submitting the request of its decision and any disciplinary measures.
- 8.8 Should the National Commission ascertain that an institution has not complied with this Code of Conduct, it may impose a measure. This measure may include, among other things, the obligation to report, to investigate or a conditional removal, in which case a notification may be included in the Register for the duration of the measure. In situations where no improvement has been demonstrated or in very severe cases, the National Commission may impose the disciplinary measure of removal from the Register. If the educational institution is a member of NRTO, UNL or the Vereniging Hogescholen, the National Commission will inform the relevant umbrella organisation of its findings.
- 8.9 The National Commission shall assess if the educational institution fulfils the Code of Conduct every six years. The National Commission will assess if the institution meets the definition of an educational institution given in Section 1, the provision of information about the Code of Conduct in Section 2.1.h, the language table of Section 5.2, and the accreditation requirement of Section 6.2 of this Code of Conduct. If the institution no longer fulfils the conditions of the Code of Conduct, the institution is granted a period to be decided upon for conforming to the Code of Conduct. Should a violation of the conditions continue, the National Commission has the power to act according to the preceding Section.
- 8.10 If the National Commission decides to remove a higher education institution from the Register, it will also determine the duration of removal and under which conditions the higher education institution can be included in the Register again.
- 8.11 The National Commission shall notify the higher education institution, the petitioner, the IND and OCW in writing within one month after its decision has been taken.
- 8.12 The Register Administrator acts as secretary of the National Commission. The secretary will inform the Education Inspectorate of all well-founded petitions submitted to the National Commission.

9 International Students Advisory Board

- 9.1 The National Commission shall set up an International Students Advisory Board. The Board consist of ten international students following a Bachelor's or Master's degree programme in the Netherlands who preferably sit on the consultative participation bodies of the educational institutions included in the Register of the Code of Conduct.

The National Commission will appoint the members for two years. Members who stay in the Netherlands for a shorter study period may be appointed for one year. Each year, half of the members will be appointed. The members of the Students Advisory Board will elect a chairperson among themselves. The Register Administrator will publish the composition of the Students Advisory Board on its website.

- 9.2. The Students Advisory Board may give the National Commission solicited and unsolicited recommendations regarding all issues covered by the Code of Conduct. At the request of the

National Commission, the Students Advisory Board may explain its recommendations in a meeting of the Commission.

10 Commencement date and modifications

- 10.1 The modifications to the Code of Conduct will take effect on 1 October 2022.
- 10.2 If a party concerned proposes a modification to the Code of Conduct, or when modifications are desirable or necessary for changes in legislation or other reasons, the proposed modification will be submitted to the umbrella organisations. Modifications can only be effectuated after the National Commission has approved them based on unanimous recommendations by the umbrella organisations unless mandatory legislation prohibits this. The Register Administrator ensures publication of the modification and distribution of the modified Code of Conduct.
- 10.3 In the case the umbrella organisations cannot reach a unanimous consensus, or the umbrella organisations and the National Commission's office cannot reach an administrative consensus about modifications of the text of the Code of Conduct or related subjects, each umbrella organisation has the option to submit the issue to the Code of Conduct's Director's Meeting.
- The Director's Meeting consists of a director of each umbrella organisation and the chairperson of the National Commission. At the director's level, the decision will be taken unanimously. Joint proposals will be submitted to the National Commission in accordance with the preceding Section. If the Director's Meeting cannot reach a consensus, the meeting will act as it sees fit.
- 10.4 Every five years, the content and operation of the Code of Conduct are evaluated by, in any event, the institutions involved, the parties concerned and the Register Administrator. Based on this evaluation, the Code of Conduct, whether changed or not, will be adopted and signed by the higher education institutions. The National Commission will take the initiative for the evaluation.

List of abbreviations

CAE:	Cambridge Certificate in Advanced English
CROHO:	Central Register of Degree Programmes in Higher Education
FCE:	Cambridge First Certificate in English
IELTS:	International English Language Testing System
IND:	Dutch Immigration and Naturalization Service
NRTO	Dutch Council for Training and Education
NUFFIC:	Netherlands Organisation for International Cooperation in Higher Education
NVAO	Accreditation Organisation of the Netherlands and Flanders
OCW:	Dutch Ministry of Education, Culture and Science
TOEFL:	Test Of English as a Foreign Language
TOEIC:	Test Of English for International Communication
UNL:	Universities of the Netherlands
WHW:	Dutch Higher Education and Research Act

In the event of differences in interpretation between the Dutch and English text of the Code of Conduct, the Dutch document shall prevail.