

## Reaction to proposed changes in the Higher Education Act (WHW) regarding language and accessibility HO AND MBO

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As a non-government-financed institution operating entirely and exclusively in English, Wittenborg University of Applied Sciences (WUAS) has read the proposed legislation with great interest.

These changes make sense in view of the fact that the proliferation of English-language programmes in Dutch higher education, often to the exclusion of existing Dutch-language programmes, especially at the undergraduate level, threatens to throw up barriers to otherwise well-qualified Dutch students. However, WUAS believes that the proposed legislation is not fully relevant to its special status and character, for three main reasons.

**FIRST.** WUAS is an internationally oriented institution that will grow to around 1,000 student registrations in 2019, of which 90% are not Dutch, representing between 90 and 100 different countries. Many of its staff do not speak fluent Dutch and certainly at least 90% of all its students do not speak much Dutch at all. WUAS has no Dutch programmes, has no Dutch curriculum and no Dutch policy documents. In fact, Dutch is only ever used as a means of communication between two Dutch members of staff when they are alone – and even then English is often used.

Students, whether from the Netherlands or abroad, come to WUAS expecting to get an international education with Dutch and international accreditation that will prepare them for an international career. Some will stay in the Netherlands to work in the Dutch international environment, generally in English; others will return to their native countries or regions, well-equipped scholastically and linguistically to do business all over the world. No prospective Dutch students without an international orientation and an adequate knowledge of the English language ever apply to our institution.

The Dutch government, moreover, has consistently maintained an open attitude towards branch campuses of non-Dutch institutions of higher education. It cannot expect such branch campuses to not teach and operate in their native language. WUAS is relieved, therefore, to see that the *Memorie van Toelichting* states that ‘Doel is allereerst om voor opleidingen die een opleiding of een deel van de opleiding in een andere taal willen verzorgen, ruimte in de wet te creëren voor maatwerk.’ Clearly, given the nature of WUAS, we can state that the use of English instead of Dutch ‘gelet op de specifieke aard, de inrichting of de kwaliteit van het onderwijs, meer dan het voeren van het Nederlands, in het belang is van het verwerven van de kennis, het inzicht of de vaardigheden die een student bij de beëindiging van de opleiding moet hebben verworven.’ (Artikel 7.2.c.)

WUAS therefore expects to be able to continue operating in English as it does, as a higher education entity recognised under Dutch law whose programmes are accredited as English-language programmes by the NVAO and international accrediting bodies.

**SECOND.** Where WUAS does take umbrage with the proposed changes to the legislation, however, is with Artikel 7.2.3.b. ‘de wijze waarop de instelling zich inspant om de kwaliteit van het onderwijs aan de opleiding en de toegankelijkheid van de opleiding voor Nederlandstalige studenten te waarborgen.’ The first clause of this paragraph, we feel, is adequately covered by the fact that our programmes are accredited by the NVAO and overseen by the Onderwijsinspectie.

The problem is in the second part. By our very nature we do not feel obliged to make a distinction in providing accessibility to our education for Dutch-speaking students any more than we do for Chinese or Urdu or Swahili-speaking students. We guarantee the same quality and accessibility for all students, irrespective of nationality, race, gender, or indeed mother tongue. This is what an institute that pertains to the quality pillars of ‘internationalisation’, ‘diversity’ and ‘ethics’ stands for. WUAS has always offered its students many foreign languages, including Dutch, as part of its programmes, as a service and will continue to do so.

**THIRD.** Although WUAS is a higher education entity recognised under Dutch law, and it and its programmes are accredited (in English) by the NVAO, it is a non-government-financed, private foundation. WUAS receives NO government funding and is completely independent, and should therefore, we feel, be exempted from the current proposed changes.

The proposed changes are a result of the behaviour of publicly funded institutes and political pressure to ensure good accessibility to Dutch education for Dutch students. WUAS receives no money from the taxpayer. For all students it is a personal choice to come and study with us and we are completely transparent about the language used: English. As a business, we purposely limit our own target group by *not* offering our programmes in Dutch. Dutch students could never force us to provide lessons in Dutch, as this is not what they have ‘purchased’ (signed up for). Quality, according to Dutch standards, is already being secured at WUAS by NVAO and the education inspectorate, also in English.

Furthermore, we request the Minister to completely exempt all private education providers from these proposed regulations. There may be scope to influence the public sector, who use public money to operationally carry out the policies and tasks for the government. However, there is absolutely no need for the private and independent sector to be subject to such policies.