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The UNESCO-OECD Guidelines For Quality Provision in Cross-border Higher Education

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Purpose of the UNESCO-OECD Guidelines

- The Guidelines aim to support and encourage international cooperation and enhance the understanding of the importance of quality provision in cross-border higher

- to protect students and other stakeholders from low-quality provision and disreputable providers

- to encourage the development of quality cross-border higher education that meets human, social, economic and cultural

- The Guidelines are not legally binding and Member States are expected to implement the Guidelines as appropriate in their national context.

Definition of Cross-border Higher Education (UNESCO-OECD Guidelines)

Includes higher education that

- takes place in situations where the teacher, student, programme, institution/provider or course materials cross national jurisdictional borders

- may include higher education by public/private and not-for-profit/for-profit providers.

- encompasses a wide range of modes including face-to-face teaching; distance learning (including e-learning); mixed-mode delivery.

Types of Cross Border Education

- Establishing overseas <u>branch campuses</u>

- <u>Collaborate</u> with an overseas tertiary institution or <u>commercial</u> agent – with varying degrees of control or delegation over course design & delivery

- The awarding institution <u>validates</u> a course which is in designed and taught by <u>a local</u> institution in the importing country

- Deliver courses in <u>distance learning</u> mode – supplemented with teaching by own staff or local staff

- <u>Pure distance learning</u> mode - through printed learning materials or electronic means – no on-the-ground teaching

The UNESCO-OECD Guidelines For Quality Provision in Cross-border Higher Education

The Guidelines

The Guidelines recommend actions to the following major stakeholders:

- Governments
- Higher education institutions/providers, including academic staff
- Student bodies
- Quality assurance and accreditation bodies
- Academic recognition bodies; and
- Professional bodies

Guidelines for Governments

Guidelines for Governments

- Establish, or encourage the establishment of a comprehensive, fair and transparent **system of registration or licensing** for cross-border higher education providers wishing to operate in their territory

Guidelines for Government

- Establish, or encourage the establishment of a comprehensive **capacity for reliable quality assurance and accreditation** of cross-border higher education provision, recognizing that quality assurance and accreditation of cross-border higher education provision involves both **sending and receiving countries**

A continuum of regulatory models

1. Different criteria
2. Different levels of regulation
3. Legal vs. non-legal framework

Licence/ → Accreditation

Questions To Consider In Setting Up a Regulatory Framework

- Using the same or different system/ organization for local provision and cross-border provision?

- Adopt one or multi-system for regulation of cross-border education ?

- Defining "Cross-Border Education" for the regulatory framework

- Defining the criteria for approval/ registration

- Should the system be enacted by legislation or administrative measures ?

Questions To Consider In Setting Up a Regulatory Framework (cont.)

- Choosing between a mandatory system and a voluntary system

- Whether to adopt the same system for all types of providers/courses?

- Who should bear the costs of the regulatory system

- Whether to use external/international QA agencies?

- What is the relationship between regulation and recognition of cross-border programmes?

Questions To Consider In Setting Up a Regulatory Framework : which system?

- **Using the same or different system/ organization for local provision and cross-border provision?**

Example of two systems : Hong Kong

- Local education: 3 QA agencies (QAC, JQRC, HKCAAVQ)

- Cross-border education : Non-local Higher & Professional (regulation) Ordinance
  - registration by Non-local Courses Registry
  - assessment & accreditation by HKCAAVQ

Questions To Consider In Setting Up a Regulatory Framework

A mandatory or a voluntary system ?

Examples

- **Mandatory system :**
  - Mainland China (**Regulations of the People's Republic of China on Chinese-Foreign Cooperation in Running Schools)**
  - Hong Kong : registration under the **(Non-local Higher & Professional Education (Regulation) Ordinance**

- **Voluntary System**
  - Hong Kong **–** voluntary accreditation

Example of Regulatory system : legal framework: Mainland China

- **Mainland China (Regulations of the People's Republic of China on Chinese-Foreign Cooperation in Running Schools)**

- The board of trustees, the board of directors shall be composed of the representatives from both the Chinese and foreign cooperators c., and one-third of the members shall have at least five years of work experience in the field of education

- Documents for verifying the qualifications of the president or principal administrator, the teachers and financial staff.

- Documents verifying sources of assets, and verifying that not less than 15 percent of initial funds provided by the Chinese and foreign cooperators is already invested.

- Foreign teachers and administrators shall possess a bachelor's degree or above and related occupational certificates, and have at least two years of work experience in the field of education and teaching.

- The foreign cooperator shall send a certain number of teachers from its own educational institution to teach in the Chinese-foreign cooperatively-run school.

- may, if necessary, use foreign languages in teaching, but shall use the standard Chinese language and standard Chinese characters as the basic teaching language.

Example of a Regulatory Framework: legal system : Hong Kong

1. Makes it illegal to offer or advertise a course which is not registered (unless exempted)

2. Makes it illegal to publish false information, or any information "likely to mislead as to the nature, purpose or quality of the course or the award to which the course is claimed to lead"

3. Courses must state in advertisements that "it *is a matter of discretion for individual employers to recognize any qualification to which this course may lead*"
(to cont.)

Example of a Regulatory Framework-Hong Kong

cont.

4. Stipulates that course providers must not collect fees more than 3 months in advance, and must have satisfactory arrangements for refund in case of premature cessation of the course

5. To protect the safety of students, premises must be approved

6. Registered courses must state their registration numbers in all advertisements

Example of Regulatory system - legal framework : Malaysia

Private Higher Educational Institution Act, Malaysia 1996

- Should incorporate as a local company - Minister shall determine amount of capital, and composition of governing Board
- M & A should be approved by Minister
- Adequate facilities and adequate measures to maintain standards
- Registration not granted if site is unsuitable, unsafe, or has no recreational facilities for students; or if name of institution not suitable, or fee structure unreasonable
- Prior approval should be obtained for courses – otherwise subject to fines / imprisonment
- Should teach the Malaysian language, Muslim religion for Muslim students, and moral education for non-Muslim students

Example of a Regulatory Framework: legal system : Indonesia

- ACT OF THE REPUBLIC OF INDONESIA NUMBER 20, YEAR 2003 ON NATIONAL EDUCATION SYSTEM
- **An accredited or recognized foreign educational unit** shall organize educational activities in the territory of the Republic of Indonesia complying with the regulations, which are in force.
- Foreign education institutions of basic and secondary education levels shall provide **religion and civic education** to Indonesian learners.
- The provision of foreign education programs shall **work together with the Indonesian education institutions**
- Individuals, organizations or education providers which confer diplomas, certificates of competence, academic, profession, and/or vocational and technical/diploma degrees without having the right to do so, shall be **liable to imprisonment of up to ten years and/or to a maximum fine** of *Rp.* 1,000,000,000.00 (one billion *rupiahs*).

Questions To Consider In Setting Up a Regulatory Framework

Choosing between a mandatory system and a voluntary system:

- *mandatory system* - based on legal requirements, with penalties for non-compliance

- *voluntary system* – based on incentives for voluntary registration

- *Mixed /dual system*

Example of a Regulatory Framework - Hong Kong

A dual system :

- **There is a mandatory system of "registration" backed by legal enactment**
- **In addition to registration, courses may seek "accreditation" on a voluntary basis – accreditation is based on local standards**

A continuum of regulatory models:

Example of dual system (Hong Kong)

Registration | Accreditation

Guidelines for Government

Provide accurate, reliable and easily accessible information on <u>the criteria</u> and standards for registration, licensure, quality assurance and accreditation of cross-border higher education, their consequences on the funding of students, institutions or programmes and their voluntary or mandatory nature

Questions To Consider In Setting Up a Regulatory Framework : Criteria

Different types of Criteria of registration /approval/ accreditation :

- Status of home institution: recognition and accreditation by home country

- Recognition of off-shore programme by home institution

- Comparability of programme with home programme

- Comparability of programme quality with local standard of receiving country

- Financial situation

- National interests/ local culture/languages/ type of courses

Regulatory Framework: Criteria

Mainland China : (**Regulations of the People's Republic of China on Chinese-Foreign Cooperation in Running Schools)**

- the Chinese and foreign partners in cooperative education ventures must have comparable experience in operating the same type and level of education

- the operation must not jeopardize the public interests and national culture; must meet educational needs of the country or region

- shall not offer military, police and political education services, or offer religious education

- must provide suitable staff and resources

Regulatory Framework –
Criteria for Registration – Hong Kong

The criteria for registration is based
1. *Recognition by home institution/QA body*
2. *"comparability" with standards in the sending country*

"**effective measures are in place to ensure that the standard of the course is maintained at a level comparable with a course *conducted in that country* leading to the same qualification,**

and is recognized as such by that institution, the academic community in that country and the relevant accreditation authority in that country"

-- *NHPE Ordinance*

Guidelines for Government

- Establish, or encourage the establishment of a comprehensive capacity for reliable quality assurance and accreditation of cross-border higher education provision, **recognizing that quality assurance and accreditation of cross-border higher education provision involves <u>both sending and receiving</u> countries**

Indicators of Quality / Quality Assurance: Responsibilities of Sending and Receiving Institutions

Questions to consider :

Are there

- persons/structures in the home institution who are responsible for cross-border provision?

- processes for approving the offer of cross-border courses/for approving the choice of overseas partners?

- clear agreements setting out the responsibilities of the overseas institution and its local partner ? Who are responsible for academic standards?

- regular communication channels between the overseas institution and the local partner?

Guidelines for Government

Provide accurate, reliable and easily accessible information on the criteria and standards for registration, licensure, quality assurance and accreditation of cross-border higher education their **consequences** on the funding of students, institutions or programmes and their voluntary or mandatory nature

Regulatory Framework: Criteria - defining "Cross-border Education"

Defining Non-local Education : "courses conducted in Hong Kong" to be regulated by the Ordinance:

- **Courses leading to the award of a non-local <u>higher academic</u> qualification**

- **Courses leading to the award of a non-local <u>professional</u> qualification**

- *"holding of lectures, tutorials, seminars, or group discussion sessions or dissemination of information or materials otherwise than for the purpose of inducing…enrollment"*
  "Conducting examinations, tests or other assessments"

- *Excludes "delivery of mail…transmission of images, sounds, words or electronic data from outside Hong Kong"*

Guidelines for Governments
Example : information

Hong Kong Education Bureau website:

ADVICE TO LOCAL CONSUMERS **www.edb.gov.hk**

Local consumers who plan to enrol in any non-local higher academic or professional courses are strongly advised to –

a) choose courses which are registered or exempted;

b) verify the registration/exemption status of the courses by **checking the lists of registered and exempted courses** at our website, or inspecting the register kept at the Non-local Courses Registry

c) take notice that an advertisement of a registered course **should bear the registration number** of the course. For an exempted course, it should be stated clearly that the course is an exempted course. In addition, all advertisements of registered courses or exempted courses should contain the statement which reads **"It is a matter of discretion for individual employers to recognize any qualification to which this course may lead"**;

d) not to pay any fee or charge before it is sure that the course is registered or exempted under the Ordinance;

e) check the payment arrangements and refund policy before making payment;
Consumers are reminded that purely distance learning courses are not required to register under the Ordinance but operators of such courses may choose to do so.

The registration/exemption from registration of a course is an assurance that the institution offering the course is **a recognized body in the home country. It also assures that effective measures are in place to ensure the standard of the course offered locally is comparable to that of the home course and is recognised as such by the institution, the relevant accreditation authority (if any) and the academic community in the home country.**
Registration/exemption from registration of a course under the Ordinance, however, does not on its own confer any particular standing to the course or comparability to a local degree programme. The recognition of any qualification for employment purposes is a matter within the discretion of individual employers.

Guidelines for Government

- develop or encourage **bilateral or multilateral recognition agreements,** facilitating the recognition or equivalence of each country's qualifications

Example:
Memorandum of Understanding between the Mainland and Hong Kong on Mutual Recognition of Academic Degrees in Higher Education www.edb.gov.hk
(includes information on currently recognized higher education institutions)

Guidelines for Government

improve the accessibility of accurate and comprehensive information on **recognized higher education institutions** / providers

Examples
www.ipass.gov.hk -   **a website which provides institutional and programme information on accredited post-secondary education in Hong Kong**

www.portal.unesco.org - a website listing recognized institutions and programmes in different countries

Guidelines for Government: Example of information for public

The Education Bureau website
www.edb.gov.hk

Shows a list of registered courses under the Non-local Higher and Professional Education (Regulation) Ordinance

Guidelines for
Higher Education Institutions/ Providers

Guidelines for higher education institutions/providers

- **Ensure that the programmes they deliver across borders and in their home country are of comparable quality** and that they also take into account the **cultural and linguistic sensitivities** of the receiving country.

Guidelines for higher education institutions / providers

- **Develop, maintain or review current internal quality management systems** so that they make full use of the competencies of stakeholders such as academic staff, administrators, students and graduates and take full responsibility for delivering higher education qualifications comparable in standard in their home country and across borders

Guidelines for higher education institutions / providers

- When promoting their programmes to potential students through agents, they should take full responsibility to

  ensure that the **information and guidance** provided by their agents are accurate, reliable and easily accessible;

Guidelines for higher education institutions / providers

- Provide accurate, reliable and easily accessible **information on the criteria and procedures of external and internal quality assurance** and the **academic and professional recognition of qualifications** they deliver and provide complete descriptions of programmes and qualifications, preferably with descriptions of the knowledge, understanding and skills that a successful student should acquire.

HEI : Internal QA procedures and information on QA

- Example : Quality Assurance manual : local partner of cross-border education

- Section on Academic Collaboration:
  - Principles for academic collaboration
  - Procedures for choosing academic partnership
  - Collaboration, Programme Monitoring and Review

  http://hkuspace.hku.hk/files/about-us/governance/quality-assurance/qa-in-hku-space/Chapter3.pdf

HEI : information for students of cross-border programmes

Example: information provided by local partner

- "Both the Bachelor of Commerce (Accounting) and Bachelor of Commerce (Accounting and Accounting Technologies) are professional accounting degree programmes, which carry the same academic status and recognition as that offered to Curtin's on-campus graduates. Graduates of both programmes meet the educational requirements of CPA Australia and the Institute of Chartered Accountants in Australia (ICAA) and they are equipped for a professional accounting career in commerce, industry, government or public practice. **Graduates are recognised as being eligible for associate membership of CPA Australia.**"

- http://hkuspace.hku

Guidelines for higher education institutions / providers

- Where relevant, **use codes of good practice** such as

  The UNESCO/Council of Europe "Code of good practice in the provision of transnational education" and other relevant codes such as the Council of Europe/ UNESCO

  "Recommendation on Criteria and Procedures for the Assessment of Foreign Qualifications"

UNESCO/Council of Europe "Code of Good Practice in the Provision of Transnational Education"

- **Academic quality and standards** of transnational education programmes should be at least comparable to those of the awarding institution as well as to those of the receiving country. Awarding institutions as well as the providing institutions are accountable and fully responsible for quality assurance and control.

UNESCO/Council of Europe "Code of Good Practice in the Provision of Transnational Education"

- **Information** given by the awarding institution, providing organization, or agent to prospective students and to those registered on a study programme established through transnational arrangements should be appropriate, accurate, consistent and reliable.

- **Staff members** of the institutions or those teaching on the programmes established through transnational arrangements should be proficient in terms of qualifications, teaching, research and other professional experience.

Guidelines for Quality Assurance

and Accreditation Bodies

Guidelines for quality assurance and accreditation bodies

- **Ensure that their quality assurance and accreditation arrangements include cross-border education provision** in its various modes. This can mean giving attention to assessment guidelines, **ensuring that standards and processes are transparent,** consistent and appropriate to take account of the shape and scope of the national higher education system, and adaptability to changes and developments in cross-border provision.

Guidelines for quality assurance and accreditation bodies

- **Provide accurate and easily accessible information on**

  - the assessment standards, procedures, and effects of the quality assurance mechanisms on the funding of students, institutions or programmes where applicable as well as **the results** of the assessment

Guidelines for QA/Accreditation bodies : information for public

Example:

- "Upon successful accreditation, the qualifications of relevant non-local programmes may be entered into the Qualifications Register (QR) for recognition under the QF, in accordance with the terms and procedures stipulated by the QR Authority.

  Such qualifications attained by individual students will be recognised as meeting the standard of particular qualifications obtained in Hong Kong. "

- "The Government financial assistance scheme for post-secondary students (FASP) and non-means tested loan scheme for post-secondary students (NLSPS) extend to eligible full-time students enrolled in tertiary-level NLPs accredited by the HKCAAVQ."

- www.hkcaavq.edu.hk
  http://www.sfaa.gov.hk/eng/schemes/fasp.htm#2

Guidelines for quality assurance and accreditation bodies

- **Establish links to strengthen the collaboration between the bodies of the sending country and the receiving country** and enhance the mutual understanding of different systems of quality assurance and accreditation…………..

Signing of memorandum of cooperation between HKVAAVQ and AUQA of Australia, and QAAHE of UK

Guidelines for QA / Accreditation bodies Examples:

Code of Practice for Non-local Courses recommended by

The Hong Kong Council for Accreditation of

Academic and Vocational Qualifications

Guidelines for quality assurance and accreditation bodies

- **Consider adoption of procedures for the international composition of peer review panels, international benchmarking of standards,** criteria and assessment procedures and undertake joint assessment projects to increase the comparability of evaluation activities of different quality assurance and accreditation bodies

Guidelines for Academic Recognition Bodies

Guidelines for academic recognition bodies

- Establish and maintain contacts with all stakeholders to share the information and improve the links between academic and professional qualification assessment methodologies;

Guidelines for academic recognition bodies

- Provide clear, accurate and accessible **information on the criteria for the assessment of qualifications,** including qualifications resulting from cross-border provision.

Guidelines for academic recognition bodies

Example:

- **The QA Principles**
- The assessment is conducted on an individual basis to assess a person's educational attainments in totality by comparing the learning outcomes achieved through their learning path against a particular level of qualification in Hong Kong.
- The assessment is not an accreditation of an institution or a programme, and the result relates only to the individual applicant being assessed……

- **The factors to be considered in the assessment include but are not limited to**:
- The accreditation/recognition status of the awarding institution(s) at the time when the applicant was admitted to the educational programme(s);
- The entry requirements, exemption/advanced standing practice, curriculum, assessment and graduation requirements of the educational programme
- The location of study
- the education regulatory framework in the place where the qualification being assessed is offered
- The Hong Kong education system …….
- www.hkcaavq.edu.hk

Guidelines for academic recognition bodies

- **Use codes of practice such as the Council of Europe/UNESCO 'Recommendation on Criteria and Procedures for the Assessment of Foreign Qualifications**' and other relevant codes of practice to increase the public's confidence in their recognition procedures, and to reassure stakeholders that the processing of requests is conducted in a fair and consistent manner;

- **Council of Europe : Recommendation on Criteria and Procedures for the Assessment of Foreign Qualifications**
  (adopted by the Lisbon Recognition Convention Committee at its second meeting, Rīga, 6 June 2001)

- Recognition of foreign qualifications may be sought for a variety of purposes. The assessment should take due account of the purpose(s) for which recognition is sought, and the recognition statement should make clear the purpose(s) for which the statement is valid.

- The assessment of a foreign qualification should identify the qualification in the system of the country in which recognition is sought which is most comparable to the foreign qualification, taking into account the purpose for which recognition is sought. In the case of a qualification belonging to a foreign system of education, the assessment should take into account its relative place and function compared to other qualifications in the same system.

- The assessment of a foreign qualification should focus on the qualification for which recognition is sought. Previous levels of education should be considered only where these levels have a serious bearing on the outcome of the assessment and should, as far as possible, be limited to qualifications of a level immediately preceding the qualification for which recognition is sought

Guidelines for academic recognition bodies

- **Strengthen their cooperation with quality assurance and accreditation bodies** to facilitate the process of determining whether a qualification meets basic quality standards……..

Guidelines for academic recognition bodies

- Example **of same organization** conducting accreditation and assessment /recognition of foreign qualifications :
  Hong Kong (HKCAAVQ)

- **Different organizations** responsible for recognition of foreign qualifications
  Mainland China :
  - Registration of joint-venture programmes:
    Ministry of   Education or provincial authorities
  - Recognition of foreign qualifications: Chinese
    Service Centre for Scholarly Exchange
  www.cscse.edu.cn

Guidelines for Professional Bodies

Guidelines for professional bodies

- Develop information channels that are accessible both to national and foreign holders of qualifications to assist them in gaining professional recognition of their Qualifications…….

Example : The Hong Kong Institution of Engineers conducts accreditation of both local and cross-border engineering programmes. Website lists accreditation criteria and lists of accreditted programmes
http://www.hkie.org.hk

Guidelines for professional bodies

- Establish and maintain contacts between the professional bodies of both sending and receiving countries, higher education institutions/providers, quality

  assurance and accreditation bodies, as well as academic recognition bodies to improve qualification assessment methodologies;

Guidelines for professional bodies

- Improve the accessibility at the international level of up to-date, accurate and comprehensive information on **mutual recognition agreements** for the professions

The Washington Accord is an agreement of mutual recognition on engineering programmes among signatory countries

Guidelines for Student Bodies

Guidelines for Student Bodies

- **Encourage students and potential students to ask appropriate questions** when enrolling in cross-border higher education programmes. A list of relevant questions could be established.......whether the foreign institution/ provider is recognized or accredited by a trustworthy body and whether the qualifications delivered by the foreign institution/provider are recognized in the students' home country for academic and/or professional purposes.

Guidelines for Student Bodies

- Take active part in promoting quality provision, by increasing the awareness of the students of the potential risks such as misleading guidance and information, low quality provision leading to qualifications of limited validity, and disreputable providers.

Questions for Discussion

- **What are the major issues/problems facing cross-border education in your country?**

- **What are the reasons/circumstances giving rise to these problems?**

- **What are the possible solutions?**

Questions for Discussion

- **If you were designing a regulatory system for cross-border education in your country, what kind of model would you recommend ? What are the special features of this model and why?**

  (You may wish to refer to the following issues again)

- ◉ **Choosing between a mandatory system and a voluntary system**

- ◉ **Whether to adopt the same system for all types of providers/courses?**

- ◉ **Who should bear the costs of the regulatory system**

- ◉ **Whether to use external/international QA agencies?**

- ◉ **What is the relationship between regulation and recognition of cross-border programmes?**

- Choosing between a mandatory system and a voluntary system

- Whether to adopt the same system for all types of providers/courses?

- Who should bear the costs of the regulatory system

- Whether to use external/international QA agencies?

- What is the relationship between regulation and recognition of cross-border programmes?

THANK YOU