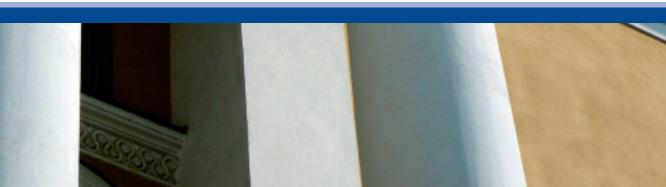Paul Bennett, Sjur Bergan, Daniela Cassar, Marlene Hamilton, Michele Soinila,
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Quality Assurance
in Transnational Higher Education

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Table of contents

Foreword

Quality Assurance in Transnational Education (QA in TNE) has been, and remains to be a major topic within the realm of Quality Assurance in the European Higher Education Area (EHEA). Indeed, transnational education has been an increasingly important phenomenon since the 1980's, due to globalisation and the consequent international expansion of higher education institutions. TNE has the potential to create further access to higher education and to offer increased opportunities for improving the skills of students, and the quality of higher education systems. However, TNE is not without consequences especially where national frameworks for QA and the recognition of qualifications do not cover TNE. Exporting and importing education brings about a series of obstacles and inquiries in terms of recognition, quality assurance, and equal access to HE, as well as respect of HE systems development and local educational culture. The guidelines formulated by UNESCO/OECD and INQAAHE have attempted to address these issues with a view toward enhancement of quality in cross-border higher education.

For the first time, ENQA organised a Bologna seminar on QA in TNE in collaboration with the Quality Assurance Agency for Higher Education (QAA), U.K. This report presents the perspectives of the various stakeholders on TNE and highlights the main findings, as well as the recommendations, of this Bologna seminar that took place in London in 2008. It also analyses the international guidelines in quality assurance and emphasises the need to focus on implementation procedures that will be useful in the future of transnational education. This seminar report transparently expresses the need for a more concentrated dissemination of good practice in transnational education, and the hope for the Bologna Process to develop common policies within the realm of transnational education in the European Higher Education Area.

Quality Assurance of transnational education is a major issue within the European Higher Education Area that evokes enthusiastic debate amongst all stakeholders and key participants. It requires further discussion and constant nurturing, thus creating tireless topics for all Quality Assurance agencies, institutions and students to be involved in developing.

Achim Hopbach,
President
European Association for Quality Assurance in Higher Education (ENQA)

Chapter 1: Introduction

1.1 Background information

Transnational Higher Education (TNE) is defined as any higher education provision (including distance education programmes) available in more than one country[1]. Students are studying in a country (host country) different from the one in which the awarding institution is based (home country). TNE includes many different delivery modes, such as franchising, branch campuses, twinning[2] and distance learning arrangements. TNE is currently mainly provided by institutions based in the world's most highly developed countries where a growing demand for higher education exists.

Although crossing the borders of national HE systems entails several challenges, like the recognition of qualifications, TNE nevertheless remains attractive to students who wish to get a foreign degree in their country of residence, to HEIs that wish to expand their market, and to governments that are facing difficulties in responding to the growing demand for HE.

The intrinsic nature of TNE makes it difficult to regulate and implement quality assurance (QA) arrangements. It is especially challenging when a TNE provider is not part of any official HE system and thus, left outside any framework of QA and accreditation. The way in which the quality of TNE is assured underpins the credibility – towards employers and the society at large – and acceptability of schemes to promote the mobility of learning across national borders, and the international recognition of qualifications. The OECD/UNESCO Guidelines for Quality Provision in Cross-border Higher Education, which are compatible with the Standards and Guidelines for Quality Assurance in the European Higher Education Area (ESG), provide an authoritative approach to the quality assurance of transnational education across the world. They have been widely circulated and discussed – especially in the quality assurance community – and are likely to become a key reference document as TNE spreads in response to international demand.

As part of its Global Strategy, the Bologna Process will need to integrate the sharing of information and promotion of good practice in TNE among its own members and its wider international partners.

1.2 The ENQA Bologna seminar

The seminar provided an excellent platform for European actors to discuss and share new information about the OECD/UNESCO Guidelines with representatives of other regions, with a view to achieving a consensus of purpose and method, thereby helping to create mutual confidence among quality assurance and accreditation agencies and other key stakeholder groups.

The seminar discussed, among other issues, the current trends in TNE landscapes, including the influence of the OECD/UNESCO Guidelines on the development of regulatory frameworks at institutional, national and international levels, the impact of the Guidelines on quality provision of TNE and the implementation of the Guidelines within the regional networks. Using the UNESCO-OECD Guidelines for cross-border higher education as the focal point of the seminar, stakeholders further examined the

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1   Analytic Quality Glossary, www.qualityresearchinternational.com
2   http://www.esib.org/index.php/issues/38-modes-of-education/98-transnational-education

observable compatibility of the Standards and Guidelines for Quality Assurance in the European Higher Education Area (ESG) and the INQAAHE Guidelines of Good Practice in Quality Assurance (GGP) with the UNESCO-OECD Guidelines.

More than 100 participants from many continents attended the seminar. Regional QA networks (Asia-Pacific and South America, etc.) and representatives from the Council of Europe, ENIC-NARIC, UNESCO-CEPES, ESU, Education International and BusinessEurope were invited and encouraged to contribute to the seminar.

Chapter 2: The UNESCO/OECD Guidelines: a governmental perspective

Sjur Bergan[3], Head of the Department of Higher Education and History Teaching of the Council of Europe

2.1 Introduction

The UNESCO/OECD Guidelines for Quality Provision in Cross-border Higher Education are important because they are the first international document approved by government representatives offering guidelines for the quality assessment of transnational education, to my knowledge. They take account of the UNESCO/Council of Europe Code of Good Practice in the Provision of Transnational Education[4] as well as of codes and guidelines developed in national contexts, notably in Australia[5], Canada[6], the United Kingdom[7] and the United States[8]. They supplement guidelines for quality assurance applied within the more classical framework of national systems, notably, in Europe, the Standards and Guidelines for Quality Assurance in the European Higher Education Area (ESG)[9] adopted by the Ministers of the Bologna Process in Bergen in May 2005.

While the ESG were developed at the European level, by ENQA and partners, and adopted within the framework of the Bologna Process, responsibility for quality assurance is ultimately national. Ensuring that there is provision for quality assurance is a key aspect of the public responsibility for higher education and research[10], and it is intimately linked to the main responsibility of public authorities to ensure a high level of quality within their nation's higher education system (including public and private institutions). The Bologna Process, which aims to establish a European Higher Education Area (EHEA) by 2010, is based on voluntary cooperation between member states, and hence on national education systems. Decisions on priorities, guidelines and policies are made at the European level and implemented nationally. The Bologna Process relies on close cooperation not only between the various higher education systems, but also between public authorities, higher education institutions, students and staff with strong participation in international organisations.

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3   Sjur Bergan is also a member of the Bologna Follow Up Group and the Chair of the Bologna Coordination Group on Qualifications Frameworks.
4   http://www.enic-naric.net/documents/REVISED_CODE_OF_GOOD_PRACTICE_TNE.pdf. The Code was first adopted in 2001 and revised in 2007.
5   Universities and their Students: Principles for the Provision of Education by Australian Universities. *RE: Provision of Education to International Students. Code of Practice and Guidelines for Australian Universities*, Australian Vice-Chancellors Committee (AVCC), (2005)
6   Sharing Quality Higher Education Across Borders: A Statement on Behalf of Higher Education Institutions Worldwide, Council for Higher Education Accreditation (CHEA), International Association of Universities (IAU), Association of Universities and Colleges of Canada (AUCC) (2005)
7   Code of Practice for the Assurance of Academic Quality and Standards in Higher Education. *RE: Collaborative provision and flexible and distributed learning (including e-learning)*, The Quality Assurance Agency for Higher Education (QAA), UK, (2004)
8   Principles for United States Accreditors Working Internationally: Accreditation of Non-United States Institutions and Programs. Council for Higher Education Accreditation (CHEA), U.S.A. (2001)
9   http://www.enqa.eu/files/ESG_3edition%20(2).pdf
10 Recommendation Rec (2007) 6 by the Committee of Ministers of the Council of Europe to member states on the public responsibility for higher education and research, available at http://www.coe.int/t/dg4/highereducation/News/Pub_res_EN.pdf

2.2 Transnational education

A surge of higher education provision not linked to a specific national system has been observed in some parts of the world. This is not an entirely new phenomenon, but it has become much more common in recent years and it has taken on more diverse forms. While some higher education institutions that are a part of a national education system have had branch campuses in other countries for quite some time, phenomena such as internet-based provision are by their nature of more recent date.

The terminology has also been evolving: transnational education was, to my knowledge, the earliest term describing this phenomenon. Cross-border education literally means that education provision crosses borders. Both cross-border education and transnational education geographically denote provision based in one country but delivered in another country. Instead of classical student mobility, we have mobility of provision, although one does not exclude the other. A third term, borderless education, emphasises that national borders are irrelevant to this kind of education, which is not necessarily based in any specific country. All three terms have also come to be used as generic terms, and for ease of reference the term "transnational education" will be used in this article.

In the context of TNE, the concept of education systems rather than countries may be useful. It figures prominently in the Council of Europe/UNESCO Recognition Convention[11], which was adopted in Lisbon in 1997 and has now (as of December 17, 2008) been ratified by 48 countries and signed by a further four. When the Convention was being negotiated, there was still some disagreement as to whether a formal system for quality assurance was required or not. It was necessary to find a formula that could apply to states that had a formal quality assurance system, as well as to those that did not. Both categories of countries at least need to specify what higher education institutions and/or programmes belong to their higher education systems. If they cannot do so, it could well be argued that they do not have an education system, which means that students would not be able to transfer between institutions within the same country and employers would be at a loss as to whether job seekers from their own country have valid qualifications or not.

The problems arising from the imaginary example of a country without an education system[12] also apply to transnational education. The issue is not so much that education absolutely has to be "national" – in an age characterised by internationalisation and/or globalisation – even if several European Ministries are still of "national education". The issue is more that there are a number of parameters that follow if an institution belongs to a given national education system. If one knows the system then one knows the degree structure, the quality assurance arrangements and the context within which the

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11 Council of Europe/UNESCO Convention on the Recognition of Qualifications concerning Higher Education in the European Region, see http://conventions.coe.int/Treaty/en/Treaties/Word/165.doc for the text of the Convention, http://conventions.coe.int/Treaty/en/reports/html/165.htm for the Explanatory Report and http://conventions.coe.int/Treaty/Commun/ChercheSig.asp?NT=165&CM=8&CL=ENG for a constantly updated list of signatures and ratifications.

12 I am in fact not aware of any country without an education system, although in the case of some countries with severe political problems and disintegrating state authority the system is likely to be more formal than real. Some federal states have more than one system.

institution operates. If one does not know the education system in question, then one can find the relevant information pertaining to that system[13].

However, contrary to information about education systems, information about transnational education provision is not readily available. If it is, then there may be doubts about whether it is reliable. The high number of dubious providers means that information given by the providers is not easily accepted at face value. This is causing injustice to the serious providers, but it is also a consequence of the difficulty of tracking the disreputable providers. In the same way, legitimate applicants from countries with a high incidence of fraudulent qualifications tend to suffer the consequences of the fraud to which they are not a part of.

2.2.1 TRANSNATIONAL EDUCATION IN THE EUROPEAN HIGHER EDUCATION AREA (EHEA)

Transnational education has been of some concern in developing the EHEA. However, it has hardly been a top priority of the Bologna Process, which has focused on reforming national higher education systems within frameworks and through policies agreed at the European level. However, the Prague Communiqué of 2001 stated that "ministers recognised the need to cooperate to address the challenges brought about by transnational education." The timing is significant, since the Prague meeting was held at a time when European public authorities started taking the measure of the issue. In Berlin in 2003, the ministers declared that "transnational exchanges in higher education should be governed on the basis of academic quality and academic values, and agree to work in all appropriate fora to that end". This is, strictly speaking, not a statement on transnational education in the sense we use the term here, and certainly not on transnational education alone; however, it does state a concern about motivation that also applies to transnational education.

The EHEA aims to promote mobility within the area as well as between the EHEA and other parts of the world. It aims to make European higher education more attractive. It also aims to develop European higher education through structural reform which has been an important focus of the EHEA so far, as well as by developing good practice, common understanding of key issues and common policies in a number of areas. An example of this is the Strategy for the European Higher Education Area in a global setting adopted by Ministers in London in 2007[14]. It is, not least, concerned with the continuous development and improvement of the quality of European higher education. The EHEA therefore cannot ignore developments in transnational higher education.

From a governmental perspective, the EHEA is the framework within which public higher education policies in Europe are developed. It is, therefore, an appropriate framework for European governments to develop common policies with regard to

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13 For a brief overview of the relationship between higher education systems and qualifications, see Sjur Bergan: Qualifications. Introduction to a Concept (Strasbourg 2007: Council of Europe Publishing. Council of Europe Higher Education Series No. 6), chapter 12. For more extensive treatments of transnational education, see Carolyn Campbell: "Transnational Education" in *Cuadernos Europeos de Deusto* (Bilbao: Universidad de Deusto), no. 29/2003, pp. 63 – 78; Jane Knight "The Impact of GATS and Trade Liberalization on Higher Education" in Stamenka Uvalic-Trumbic (ed.): *Globalization and the Market in Higher Education: Quality, Accreditation and Qualifications* (Paris 2002: UNESCO Publishing and Editions Economica), pp. 191–209; Jane Knight: "Programmes, Providers and Accreditors on the Move: Implications for the Recognition of Qualifications" in Andrejs Rauhvargers and Sjur Bergan (eds.): *Recognition in the Bologna Process: Policy Development and the Road to Good Practice* (Strasbourg 2006: Council of Europe Publishing – Council of Europe Higher Education Series No. 4), pp. 139 – 160. Updated information on borderless education may also be found at the web site of the Observatory for Borderless Education, based in the United Kingdom, http://www.obhe.ac.uk.

14 http://www.ond.vlaanderen.be/hogeronderwijs/bologna/documents/WGR2007/Strategy-for-EHEA-in-global-setting.pdf

transnational education. A useful first step would be to consider whether the UNESCO/OECD Guidelines should be included as a reference text of the EHEA. Should governments commit to upholding the Guidelines in the same way as ministers have committed to ratifying and implementing the Council of Europe/UNESCO Recognition Convention (the only legally binding text of the EHEA)? Should governments commit to providing the Diploma Supplement automatically – free of charge – in a universal language to all graduates? A second step could be to consider whether the Guidelines should be supplemented by policies specific to the EHEA, and I have given some indication of possible measures in this article.

2.3 A government perspective on the Guidelines

An important merit of the UNESCO/OECD Guidelines is that they provide an international framework for the least regulated field of higher education. The motivation for enforcement of the Guidelines is less than in the case of provision rooted in a national system. In this sense, transnational education may be seen as part of a broader phenomenon: our economic, political and legal spaces no longer coincide. Our economic space is overwhelmingly global, our political space is a mix of global, European and national[15], and our legal space is national. Having said this, our legal space is national with the exception of EU legislation and certain specific areas within legislation, such as the European Convention and Court of Human Rights, or war crimes with international tribunals of their own.

The UNESCO/OECD Guidelines are directed to governments, higher education institutions and providers, student bodies, quality assurance and accreditation bodies, academic recognition bodies and professional bodies.

Seven provisions of the Guidelines are directed to governments, and these concern three key policy areas: quality assurance, information and recognition.

For **quality assurance**, it is recommended that governments:

a. 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.
b. Establish, or encourage the establishment of a comprehensive capacity for reliable quality assurance and accreditation of cross-border higher education provision, recognising that quality assurance and accreditation of cross-border higher education provision involves both sending and receiving countries.
c. Consult and coordinate amongst the various competent bodies for quality assurance and accreditation both nationally and internationally.

The first two provisions underline the responsibility of governments for ensuring that there will be provision for licensing quality assurance, and for extending such provision to transnational education. This is important because public authorities cannot create recognition of transnational education that has not undergone quality assurance through a review, unless transnational providers are offered realistic possibilities to do so. The Guidelines also underline that the responsibility for such provision is shared between sending and receiving countries. This implies that if the sending country does not make provisions for quality assurance, that the receiving country is not absolved from the responsibility to do so, and vice versa. This should be stated explicitly, even if

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15 Notwithstanding the assertion by Tip O'Neill, former Speaker of the US House of Representatives, that "all politics are local".

it is easy to understand why two intergovernmental organisations developing a text of this kind would find it difficult to postulate possible failures by governments.

While the principle of shared responsibility is sound, it does leave some unresolved questions that are not directly addressed by the Guidelines. These questions can perhaps be settled through good practice alone. For example, what happens if both the sending and receiving countries have strong quality assurance systems but are not entirely compatible? Do the regulations of the receiving country take precedence over those of the sending country, or *vice versa*? What happens if the quality assurance agency of one country takes a positive view of a given higher education provision and that of the other country a negative view? These are valid questions to be raised while formulating transnational quality assurance provision.

At least within the European Higher Education Area, there are some solutions in sight to issues such as these. The ESG, while not written with transnational education in mind, are broadly applicable to this kind of provision. Even if accreditation is system specific – an institution is accredited under the system of a certain country – a quality assurance statement need not be. It must be specific about the criteria and procedures used, but these need not be those of a given country or system. It should, therefore, be possible to assess the quality of transnational education provision in accordance with the ESG. With the establishment of EQAR (European Quality Assurance Register for Higher Education), it should also be possible to solve the issue of potential divergence between sending and receiving countries. Since the agencies that will be included in EQAR will operate in accordance with the ESG, their quality assurance statements should be accepted throughout the EHEA. There should be strong reasons for the competent authorities of other countries to also work in accordance with the ESG, unless these authorities have strong issues with the ESG themselves.

In addition, the UNESCO/OECD Guidelines do not state that the criteria and procedures for quality assurance of transnational provision should be broadly similar to those used for quality assurance of higher education provided within the national systems of the sending and/or receiving countries. Some adaptation may well be necessary, but the principle of equal treatment is important – not least to the credibility of transnational provision.

The third provision states that it is the responsibility of governments for ensuring coordination among national bodies, as well as internationally. National coordination is important to ensure coherent practice throughout a given education system. If this is lacking, one could question the strength of the system in a given nation. The issue of international coordination is important to ensure that providers, as well as those who make use of qualifications, are treated equally regardless of their geographical location. The EHEA is perhaps the most important framework for international coordination of higher education policies today.

As concerns **information**, it is recommended that governments:

d. 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, where applicable, and their voluntary or mandatory nature.

    e. Contribute to efforts to improve the accessibility at the international level of up-to-date, accurate and comprehensive information on recognised higher education institutions/providers.

These provisions underscore the public responsibility for transparency. Provision d) is a natural consequence of the duty of public authorities to make sure there is provision for quality assurance. A part of this obligation is to be explicit about the criteria and procurers used, and to make these publicly available.

    Provision e) addresses the efforts to make information on transnational education easily accessible internationally. This is a particularly important point. Information on transnational education is less easy to obtain than information on education systems, and because transnational education is particularly difficult to regulate, the availability of transparent and reliable information is crucial. Like the three provisions on quality assurance, the two provisions on information underline the responsibility of governments within the system for which they are responsible, as well as internationally.

    For **recognition**, it is recommended that governments:

    f. Consider becoming party to and contribute to the development and/or updating of the appropriate UNESCO regional conventions on recognition of qualifications and establish national information centres as stipulated by the conventions.

    g. Where appropriate develop or encourage bilateral or multilateral recognition agreements, facilitating the recognition or equivalence of each country's qualifications based on the procedures and criteria included in mutual agreements.

Except for the obligation to establish national information centres, which is a national obligation arising from a country's accession to the Council of Europe/UNESCO Recognition Convention or a UNESCO regional convention, the two provisions on recognition concern governments' responsibilities at an international level. The legal instruments exist in the form of regional conventions, but governments need to ratify the conventions and then make them a reality.

    Provision f) is, in my view, somewhat more problematic than provision g). Bilateral and multilateral recognition agreements may be useful if they build on the overall international legal framework for recognition, i.e. the regional conventions, and specify how the recognition of specific qualifications is understood on this basis. They may, however, be counterproductive if they do not take into account the regional conventions. It is also worth asking whether additional bilateral agreements are really needed to implement the conventions. In some case, this may be justified, but there is also a clear danger that bilateral and multilateral agreements may remove recognition practice from the principles of the regional conventions. At the very least, being explicit about the need for bilateral and multilateral recognition agreements to be compatible with the relevant regional conventions, would have made the Guidelines stronger.

2.4 Preventing abuse vs. encouraging good practice

The UNESCO/OECD Guidelines have a double purpose, as stated in the introduction:

    The purposes of the Guidelines are to protect students and other stakeholders from low-quality provision and disreputable providers as well as to encourage the

development of quality cross-border higher education that meets human, social, economic and cultural needs.

The first purpose of protecting students and other stakeholders from disreputable providers is, not only from a governmental point of view, most likely the more prominent. There are good reasons for this, since transnational education is largely unregulated and there seems to be no shortage of disreputable providers. Even if the impact of low quality education is perhaps less immediate than the impact of low quality constructions like buildings and bridges, which can collapse with spectacular and immediate effect, it is no less harmful. There is, of course, also a potential connection between the two: substandard buildings and bridges may be built by people with substandard education, which is one reason why most countries are particularly restrictive in recognising foreign qualifications that give access to a regulated profession. (Another reason may be a desire on the part of professional organisations to avoid foreign competition in a labour market that they see as theirs and theirs alone). The long-term impact of inadequate educational qualifications is harmful because individuals invest substantial sums as well as time earning qualifications[16], employers invest in hiring employees with higher education qualifications and society invests money and trust in the higher education sector.

The second purpose – that of encouraging positive developments – is, however, equally important, and it may metaphorically be seen as the other face of the same coin. While many transnational education providers have a low reputation that is not entirely unjustified, transnational education is not inherently of low quality.

A reasonable interpretation of this double purpose would be:

- Governments should be responsible for providing a fair and transparent framework so that superior transnational provision may settle accordingly.
- Governments can encourage serious transnational provision by providing an opportunity for such provision to be quality assured (at real cost – there is no obligation for governments to subsidise this service or provide it free of charge) and thus for qualifications to be fairly recognised.
- There can be no obligation on governments to encourage transnational provision by engaging in it directly, nor by providing financial support for transnational providers. It is a political choice whether a government wishes to invest effort and budgets in developing or stimulating a transnational education sector, and it is perfectly legitimate for a government to decide not to take this course.
- If a public or private institution has engaged in transnational provision and once transnational provision is recognised as belonging to an education system, the government in question has the same obligations with regard to the transnational providers, as it does with national institutions and providers: namely ensuring that this provision is of good quality, as well as providing transparent information about the provision. The government has the same responsibility if it accepts transnational provision from elsewhere as a part of its education system.

The responsibility of governments for their education systems also touches on another issue. In some countries, the right to provide education is considered a fundamental

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16 Unless the provider in question is a degree mill, in which case the sums involved may be considerable but the time invested is not, and those who buy these "qualifications" must be assumed to be perfectly well aware of the fact that they are not acting in good faith.

right, as was clearly brought out in the discussion group at the seminar on transnational education in London. Interpreted in the widest sense, this means that even if the government decides not to recognise qualifications from a given provider operating on its territory (because the provider has not undergone or passed a quality assessment, or for any other valid reason), it cannot stop the provider from operating. Preventing a provider from operating may be difficult in practice because providers may be adept at closing down institutions only to reopen them under new names, or because internet provision is very difficult to locate and stop. Nevertheless, the question of principle is important to consistently ask.

The issue of principle hinges on what is understood by "education". If the right to provide education is seen as a fundamental right, the reason should, in my view, be a concern with the liberty of expression, the freedom of teaching and the absence of streamlining thought and teaching by governments. The reason cannot be that education providers have the right to charge high tuition fees for disreputable qualifications. Additionally, disreputable providers should not have the right to advertise their qualifications without being obliged to provide truthful information about their lack of quality assurance or the recognition their qualifications are likely to be given – or rather not given – in the countries in which they operate. If we can have health warnings on tobacco and alcohol – and justifiably so – why should public authorities not be able to require "health warnings" on advertisements for education provision – transnational or not – that has not undergone quality assurance and whose qualifications are therefore unlikely to be widely recognised in the country in question?

2.5 Conclusion

Sound higher education systems, policies and provision depend on a broad range of actors, most of whom are concerned by the UNESCO/OECD Guidelines. Therefore, an article focusing on a government perspective cannot give a complete overview of the issues concerning transnational education, but the government perspective is an important issue nonetheless.

Governments are not all-powerful, and that is an important part of the foundation on which democracy is based. Governments do, however, have a clear responsibility in regard to their own higher education system as well as in regard to other governments. I therefore find it difficult to subscribe to the assertion in the UNESCO/OECD Guidelines that: governments "can be influential, if not responsible" (p.13). As someone who believes that higher education is a public responsibility and who has contributed to developing the notion of what this public responsibility implies[17], I certainly hope governments will be influential in this area and will live up to their education-oriented responsibilities.

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17   Sjur Bergan: "Higher education as a "public good and public responsibility": what does it mean?" in Luc Weber and Sjur Bergan (eds.): *The Public Responsibility for Higher Education and Research* (Strasbourg 2005: Council of Europe Publishing. Council of Europe Higher Education Series No. 2), pp. 13 – 28.

Chapter 3: Quality Assurance in Transnational Education: a European University Association perspective

Andrée Sursock, Deputy Secretary General of the European University Association (EUA)

3.1 Introduction

The OECD/UNESCO Guidelines were developed between 2003 and 2005. The discussion then was focused on the need to facilitate market penetration of cross-border providers, including for-profit providers, in order to increase higher education capacity around the world. There was a recognised need to promote quality assurance in order to combat diploma mills, but it was felt that the proposed QA framework should be fully compatible with the General Agreement in Trade on Services (GATS) and not constitute an obstacle to trade in education services.

Preparing for this Bologna seminar has provided the interesting opportunity to reread these Guidelines and to note the extent to which the world has changed since their development, particularly due to the progress in the Bologna process and with the emergence of new forms of internationalisation and cross-border activities.

Before I discuss these two points, however, I would like to salute the role of higher education institutions and associations, regional and international QA networks and UNESCO for their successful efforts in building QA capacity in Europe and around the world. I would also like to recognise the efforts of UNESCO and others in combating diploma mills.

3.2 The Bologna Process

Since 2005, there has been great progress thanks to the Bologna Process. The measures of this success include the implementation of the three-cycle degree structure, the development of European and national qualifications frameworks, and a European QA framework that includes the European Standards and Guidelines (ESG) and the European Quality Assurance Register for Higher Education (EQAR).

The success and momentum of the Bologna process is not due to a top-down management, but to the commitment and engagement of all stakeholders, including students and higher education institutions.

Perhaps, as a result of the multiple perspectives present in the Bologna discussions, the process is grounded in a view of higher education as a public good and responsibility and the solutions underpinning the creation of the European Higher Education Area (EHEA) have been based on academic rather than commercial values.

It is not surprising, therefore, that most European higher education institutions view Europe as one important context for cooperation in research and education and many are committed to the EHEA as a political project.

Last but not least, the success of the Bologna process is attracting very positive attention around the world – it seems almost miraculous that 46 widely diverse countries got organised in such a relatively short time.

3.3 New forms of internationalisation and cross-border activities

The rise of the knowledge society has led to increased competition for talents worldwide and the aspiration by many national authorities to establish world-class universities in their countries. Some countries, whose higher education sector was invisible until a few years ago, have emerged as strong international competitors in the race for talents. These include China, India, Malaysia, Singapore and most recently the Gulf States with their vast financial resources.

There seems to be a trend toward a more level playing field in internationalisation and cross-border activities, at least between East and West:

- China now receives more students than it sends abroad. In 2007, its international enrolment ranked fifth in the world, behind the United States, Britain, France, and Germany. This increase reflects China's growing importance in the world but it is also the result of a concerted governmental policy to promote China as a major study destination by 2020.
- Other interesting examples of redressing previously asymmetrical relationships include the recent opening of a Malaysian university in London and of an Indian university in the USA.
- A 2008 report of the US Council of Graduate Schools noted, with some alarm, the "increasingly fierce competition" from Europe to keep more graduate students at home while also recruiting more from abroad.
- Some of the most important international players have had apparent difficulties, which have provided lessons to everyone, namely:
  – Understanding that establishing a physical presence abroad yields very little short-term financial gains. It is a long-term investment that requires also being sensitive to local cultural concerns.
  – Understanding that internationalisation is a fickle source of income and that in-coming student flow is subject to ups and downs and is sensitive to changing political and economic situations (for example, the USA after September 11, 2001 or Australia). After a period of aggressive growth in recruiting international students, Australian HE has shown signs of trouble due to unexpected falling international enrolments as evidenced by the $5-million deficit that appeared in the 2006 budget of the University of Melbourne's arts department and the shortfall of $25 million at the Royal Melbourne Institute of Technology in 2007 or the dismissal of 200 academic and administrative staff at Central Queensland University in June 2008.
  – Most importantly, these difficulties have led to an understanding that a successful international strategy cannot be simply financial but should be linked to academic concerns with quality, and that this costs rather than brings in money. Simon Marginson noted that the financial dependence of Australian institutions on international enrolments has distorted university missions and threatened academic quality. High enrolments have been maintained by admitting and graduating some students of questionable quality as shown in a recent study which found that one-third of international students who graduated and obtained a permanent residence visa could not demonstrate that they were competent in English on the basic Australian Immigration Department test.

- Another trend worth mentioning is the significant rise in joint degrees as an alternative internationalisation strategy. This type of cooperation has been the hallmark of Europe but there is also growth of joint degrees in other parts of the world. For instance, a 2008 survey of US graduate schools showed that 38 percent of them have at least one such programme, up from 29 percent in 2007. Meanwhile, 31 percent of institutions indicated plans to establish a new collaborative programme within the next two years. The quality of joint degrees has been an important issue in the Bologna discussions. Both ENQA and EUA addressed the quality assurance of joint degrees in two different projects supported by the European Commission and have provided alternative and complementary ways of assuring their quality.

3.4 Conclusion

In conclusion, I would like to raise two questions in the following paragraphs.

Firstly, has the Bologna process achieved all of its goals or is there still work to be done, particularly in the quality assurance area? There has been great progress in assuring quality in Europe – at the institutional, national and European level. The ESG are grounded in a set of principles and values that are central to the European project and were developed by the stakeholders. More than a set of regulations, they are meant to improve both the quality of higher education provision and quality assurance processes and give appropriate responsibilities to all key actors, including students – another hallmark of European higher education.

Quality assurance, however, is like housecleaning. The work is never done. There is still work to do in implementing the ESG, evaluating them and possibly revising them in the future, but there is no demonstrated need to consider yet another set of guidelines. Since there are problems related to TNE within Europe, it should be made explicit that the ESG apply to any type of provision offered by European higher education institutions anywhere, whether locally, in Europe or in the world.

Secondly, can we bypass European processes that have not accomplished all of their goals yet, or should we scale the Bologna process immediately to the global level? If this were to be implemented, who would be the main actors driving this process? What will be lost in terms of ownership and, therefore, momentum of implementation? If there is anything that can be learned from the Bologna process and why it cannot be easily scalable, it is that the Bologna process is based on a political project – the construction of Europe – rather than aimed at producing regulations for a higher education market.

Chapter 4: Quality Assurance in Transnational Education: an Education International perspective

Paul Bennett, Education International

4.1 Background
In the realm of quality assurance in higher education, Education International has argued consistently for:
- The sustained emphasis on the public sector values which have underpinned Europe's higher education;
- As a corollary of this, resistance to commercial and market forces;
- Academic freedom in teaching and research;
- Maintenance of links between higher education teaching and research;
- The need to make the 'Bologna' agenda real at the institutional level, and to engage academic staff in its development and implementation, including in QA processes;
- The linking of quality assurance to the status, conditions of work (including academic freedom) and career progression of academic staff; and
- Enhanced support for the mobility of staff and students within the 'Bologna' area.

4.2 The debate on quality in transnational higher education and conclusions
The full implications of the European and international character of quality assurance in higher education have yet to be absorbed at the national level in many Bologna countries. Higher education and quality assurance systems must be robust enough to deal with change in the sector – modes of course delivery, course content, the diversity of student profiles – and to build the trust and confidence of the users and of the sending and receiving countries; such systems must also be transparent to the users.

From the Education International perspective, quality is a broad concept encompassing both the delivery of the social dimension and the broadening of the student population, and enhanced status and opportunities for academic staff, including the opportunity to participate in and benefit from transnational education programmes. The need for better data to support the mobility of academic staff is one of the clearest examples of the need to move from Bologna rhetoric to Bologna reality.

The partnership between all the bodies involved in transnational education asserted in the OECD/UNESCO Guidelines must be made a reality, and there must be a concerted effort to build compatibility and convergence between the major quality assurance systems. All the partners must be involved in capacity building in both QA and in the development of transnational higher education itself so that it is part of the shared experience of a far higher proportion of the student and staff community than at present.

Institutional systems must involve the staff as much as possible, and be staff-led. Institutional systems must also be decentralised, reflecting the course / programme / department level at which inter-institutional relationships are often at their strongest.

For the academic community, good working conditions, strong safeguards for academic freedom, robust links between teaching and research, and opportunities for career progression are all core determinants of quality that is visible, quantifiable and negotiable.

Student representatives must also be involved in decisions on quality in transnational higher education, particularly because their experiences will most closely reflect the rapidly changing contemporary reality.

Finally, the Bologna Process must not create obstacles for the continued development of the global higher education community. The Bologna Process needs to ensure the continued diversity of provision in the EHEA – which can and must be reconciled with high and consistent quality.

Chapter 5: A Comparative Analysis of International Guidelines in Quality Assurance

Marlene Hamilton, Professor Emerita, The University of the West Indies

Marlene Hamilton also acknowledges – with sincere appreciation – the assistance of Dr. Antony Stella of the Australian Universities' Quality Agency (also a consultant on quality to UNESCO) who generously shared her vast store of information on these Guidelines, some of which have been reported verbatim in this paper.

5.1 Introduction

This paper compares and highlights the main concerns of three international guidelines – *the UNESCO/OECD Guidelines for Quality Provision in Cross-border Higher Education; the Standards and Guidelines for Quality Assurance in the European Higher Education Area (ESG); and the INQAAHE Guidelines for Good Practice (GGP).* An overarching document prepared by UNESCO and the Council of Europe – *the Code of Good Practice in the Provision of Transnational Education* is also mentioned, given its salience globally, beyond transnational education alone. It is therefore appropriate to start with this code, and to briefly outline the main issues therein.

5.2 The international guidelines under analysis

5.2.1 THE UNESCO/COUNCIL OF EUROPE CODE OF GOOD PRACTICE IN THE PROVISION OF TRANSNATIONAL EDUCATION

This Code was adopted by the Lisbon Recognition Convention Committee in 2001. This document covers a Preamble and two sections dealing with terminology and principles, followed by a useful Memorandum explaining the objectives, implementation and scope of the Code. One must acknowledge that this Code is specific to the European Higher Education Area (EHEA); so it is not surprising to find that its contents are reflected strongly in both the UNESCO/OECD Guidelines and the ESG. However, given its relevance in a wider context, it is worthwhile to briefly examine the key points.

The **Preamble** covers the following:

- It acknowledges the rapid development of transnational education and the challenges this presents; it also notes the important role of the new technologies in TNE, and recognises the role of national systems in preserving the cultural, social, philosophical and religious diversity in Europe.
- It emphasises the importance of the academic quality of programmes and degrees awarded by higher education institutions engaged in transnational education, and the role of qualifications in promoting mobility of both students and programmes. In so doing, it recognises the role of other Codes of Good Practice[18] in providing working frameworks, and at the same time, acknowledges the value of underlying

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18   Code of Ethical Practice in the Provision of Education to International Students by Australian Universities, Australian Vice-Chancellors' Committee;
Quality Assurance Code of Practice: Collaborative Provision, United Kingdom Quality Assurance Agency for Higher Education;
Principles of Good Practice for Educational Programs for Non-U.S. Nationals;

ethical principles and values. It also highlights the need for finding commonly agreed solutions to any problems of recognition, whether regionally or globally.

- The Preamble stresses the need to update implementation mechanisms on a regular basis, and agrees on the need for (1) A Code of Good Practice in the provision of higher education study programmes and other educational services by means of transnational arrangements, and (2)
- recommendation on procedures and criteria for the assessment of foreign qualifications with a view to implementing the Code of Good Practice and to facilitating the recognition of qualifications awarded following completion of transnational study programmes/courses of study.

The next section deals with **Terminology** and defines frequently occurring concepts such as *Agents, Agreement, Awarding Institutions, Educational Services, Partners, Providing Institution, Transnational Arrangements* and *Transnational Education;* this, followed by a listing of the important **Principles** proposed. Within this section, details regarding 11 key issues are clarified, starting with *Transnational Arrangements* through *Academic Quality and Standards, Policy and Mission, Information, Staff Members, Culture and Customs, Agents, Awarding Institutions, Admission/Teaching and Learning, Activities/Examination, Process/Assessment Requirements,* to *Academic Workload* and *Qualifications.*

As previously stated, the UNESCO/Council of Europe Code of Good Practice in the Provision of Transnational Education has the potential to be of use even beyond Europe, and as such, it is suggested that all quality assurance operations become familiar with the recommendations offered in this document.

5.2.2 THE UNESCO/OECD GUIDELINES

The objective of these Guidelines is to "provide tools for best practices to assist its Member States in assessing the quality and relevance of higher education provided across borders", and "to protect students and other stakeholders in higher education from low-quality higher education provisions." Here, stakeholders are governments, higher education institutions (including academic staff), student bodies, quality assurance and accreditation bodies, academic recognition bodies, and professional bodies.

The **Recommendations** addressed to quality assurance agencies are of importance to the above mentioned stakeholders within the realm of Quality Assurance in the EHEA:

- Include cross-border education (all of its modes) within the scope of quality assurance.
- Sustain and strengthen the existing [...] networks or establish regional networks in regions that do not already have one.
- Ensure information dissemination regarding quality assurance mechanisms and their implications.
- Apply the principles reflected in current international documents on TNE.
- Reach mutual recognition agreements with other bodies.
- Strengthen cooperation with other stakeholders in the national system.
- Strengthen the international orientation of quality assurance processes.

- Above all, promote mutual trust, dialogue, sharing of responsibilities, and cooperation among all six groups of stakeholders.

Although the UNESCO/OECD Guidelines appear to address only one issue of quality assurance (the cross-border concerns), the principles and values reflected in this document are valid for any form of education, including domestic educational provision.

5.2.3 THE STANDARDS AND GUIDELINES FOR QUALITY ASSURANCE IN THE EUROPEAN HIGHER EDUCATION AREA (ESG)

The ESG are arguably one of the best known quality assurance guidelines. Despite the European-based emphasis, they have wider relevance, and all interested parties are recommended to follow them. The ESG have been developed by ENQA in cooperation with the other organisations of the E4 group (EUA, ESU and EURASHE) and other partners such as ECA and the CEE Network. The ESG are addressed to QA agencies and higher education institutions. They are structured in three parts covering internal quality assurance (QA) of higher education institutions, external QA of higher education, and QA of external QA agencies. The standards are statements of basic good practice, while the guidelines illustrate the standards in action.

5.2.4 THE INQAAHE GUIDELINES FOR GOOD PRACTICE (GGP)

The GGP have been drafted by QA agencies from more than 65 countries and are addressed to all QA agencies worldwide. These Guidelines are widely used, and have proved to be helpful for quality assurance agencies in all stages of their development. The GGP is structured in four sections, covering the governance and accountability of the agency, the agency's relationship with higher education institutions, the agency's external review process, and the agency's external activities (collaboration with other agencies and transnational/cross-border higher education).

5.3 Comparison between the ESG and INQAAHE GGP and conclusions

Despite the obvious congruence between these guidelines, there are however, several major differences between them which need to be acknowledged and considered carefully. This final section puts forward the main differences between the ESG and the INQAAHE guidelines (GGP) with reference to the UNESCO/OECD Guidelines, when relevant.

a. **Origin**
   The ESG is the response to the twin mandates given to ENQA in the Berlin Communiqué of September, 2003 to develop an agreed set of standards, procedures and guidelines on quality assurance and to explore ways of ensuring an adequate peer review system for quality assurance and/or accreditation agencies or bodies. Thus, the mandate for the ESG came from the Ministers/ governments, whereas the GGP was the work of quality assurance agencies from over 65 countries. The UNESCO/OECD Guidelines were originally developed as a follow-up to a resolution adopted by the General Council in 2003, and later elaborated on in cooperation with the OECD.

b. **Involvement of the stakeholders**

The ESG are the result of joint efforts by various stakeholders. The ESG report notes that the achievement of such a joint understanding is a tribute to the spirit of cooperation and mutual respect that has characterised discussions between all the players involved (EUA, EURASHE, ESIB (now ESU) and ENQA). The Ministers also asked ENQA to take due account of the expertise of other quality assurance associations and networks. The ESG aim to cater to the interests of students and employers. They recognise that the interests of the higher education institutions and student representative bodies are not always the same. Indeed, higher education institutions seek a high level of autonomy with a minimum of external regulation or evaluation (and that, for the whole institution), while student bodies want institutions to be publicly accountable through frequent inspection at the programme or qualification levels. Consultations with these stakeholders have brought in certain perspectives which are not very explicit in the other guidelines.

c. **Endorsement**

The ESG were published with the endorsement of all the organisations named in the Berlin communiqué; the GGP on the other hand, were published with the endorsement of its member agencies. The UNESCO/OECD Guidelines, although not legally binding, anticipate implementation by its member States as appropriate to their national contexts.

d. **Scope**

The ESG provide standards for internal and external quality assurance, and for external quality assurance agencies. The standards are in three parts covering internal quality assurance of higher education institutions, and quality assurance of external quality assurance agencies. The INQAAHE GGP are specifically addressed to external quality assurance agencies. The ESG aspire to promote an appropriate balance between the creation and development of internal quality cultures, and the role external quality assurance procedures may play. The INQAAHE GGP address this issue in the section on external quality assurance agencies. The UNESCO/OECD Guidelines are of particular significance, given the increased cross-border mobility of students, staff, professionals, programmes and providers, and are also relevant to the growth of distance learning initiatives.

e. **Authority**

Among the main results and recommendations of the ESG report are "European quality assurance agencies will be expected to submit themselves to a cyclical review within five years" and "a European register of quality assurance agencies will be produced" which is now the European Quality Assurance Register for Higher Education or EQAR). This integrates an element of conformity and authority. Indeed, the ESG are used by ENQA as membership provisions (with some additions), and by EQAR as entry criteria to the list. For ENQA membership and EQAR listing purposes, a cyclical external review of the agency against the ESG is required. The ESG report further states that the consistency of quality assurance across the European Higher Education Area will be improved by using agreed standards and guidelines. INQAAHE, as a voluntary network of quality assurance bodies, depends on the voluntary uptake of the GGP by its member states.

f. **Attention to cross-border higher education**

The UNESCO/OECD Guidelines focus on quality assurance in cross-border higher education, although the Guidelines are applicable to domestic providers as well. They "recommend that external QA agencies ensure that their quality assurance arrangements include foreign and for-profit institutions/providers as well as distance education delivery and other non-traditional modes of educational delivery" (ESG, p.28). To some extent, the UNESCO/OECD Guidelines are based on the contrast between the need to regulate the internationalisation of higher education and the fact that "existing national quality assurance capacity often focuses exclusively on domestic delivery by domestic institutions". Therefore, the challenge faced by current quality assurance systems is to develop appropriate procedure and systems to cover foreign providers and programmes (in addition to national providers and programmes) in order to maximise the benefits and limit the potential drawbacks of the internationalisation of higher education" (Guidelines, pp.8–9). The scope of the other guidelines is to make good practices more prevalent. It should be noted that INQAAHE GGP has one specific guideline addressing cross-border education. The ESG report declares that it "recognises the importance and implications of internationalisation for the quality assurance of higher education institutions. Although it has been considered too early to include a reference to this in the proposed European standards for external quality assurance, the proposal for a European register does explicitly include agencies from outside Europe operating here as well as European agencies with cross-border operations" (ESG, p.28).

g. **Network Efforts**

Strengthening network efforts is explicitly mentioned in the INQAAHE GGP, as well as the UNESCO/OECD Guidelines. Agencies should sustain and strengthen the existing national and international networks. This last-mentioned recommendation of the GGP is indirectly included in the ESG. For example, the ESG mention that "institutions should be able to demonstrate their quality at home and internationally."

h. **Accountability vs. Improvement**

The ESG state that "quality assurance for accountability purposes is fully compatible with quality assurance for enhancement purposes", while the INQAAHE GGP do not enter into this argument, but simply acknowledge that both accountability and quality enhancement require attention.

i. **Emphasis**

Goals which are specific only to the GGP include creating a framework to guide the creation of quality assurance agencies, and promoting professional development among agencies and their staff. INQAAHE, as the professional network of quality assurance agencies, has properly given attention to these specific needs of its members. Such goals are not explicit in the other guidelines.

Despite the aforementioned differences, there is value and much benefit to be gained for the operations of any quality assurance body seeking to fulfil its mandate – particularly those in the process of being established – in going through a careful and realistic study of the international guidelines, and in using properly the relevant sections.

Chapter 6: Quality assurance in transnational education – from declarative intentions to concrete progress: a European Students' Union perspective

Daniela Cassar – Member of the Committee for Internal Development, European Students' Union

Like all other aspects of society, improving quality in education requires a cultural change. The education sector needs constant monitoring to identify areas for potential improvement and reforms. Enhancement can only be realised if such a cultural change is taken seriously and Quality Assurance (QA) is successfully implemented in Europe's higher education systems.

6.1 Student involvement

Student involvement in higher education is progressively being endorsed across Europe, and this has also been the case in discussions on QA in higher education. Students contribute to the development of learning and teaching, whether through student feedback questionnaires or through direct consultation in higher education issues. The concept of student involvement is enshrined as one of the principles of the Bologna Process and has been vehemently advocated for by the European Association for Quality Assurance in Higher Education (ENQA), the European Students' Union (ESU) and the United Nations Educational, Scientific and Cultural Organisation (UNESCO).

The regulations of ENQA also contemplate the involvement of students in the external quality assurance processes of its member agencies. There exist a variety of types and levels of involvement of students in quality assurance of higher education in the European Higher Education Area, the most common being student representation through a student union or other representative body.

Student involvement is seen to be most beneficial at the initial stage of shaping a system, in which criteria, standards and procedures are set. After all, who better to contribute to the process of QA in cross-border higher education than the students themselves, who experience TNE first-hand? Initiatives such as the establishment of Quality Assurance Student Expert Pools – operating closely with national QA agencies – will contribute to the enhancement of QA on a high scale. Such expert students shall receive training and shall be considered equal partners in the expert panels of both internal and external quality assurance procedures, having the role of QA evaluators. Former ESU members have proved competent in co-creating regulation systems for TNE in relation to QA, accreditation and recognition thereof. This is also evident from the good practice of ESU itself, when it comes to stocktaking at the grassroots level, and empowering student unions through its training programmes to deal with issues such as QA and TNE.

The contribution of students through their involvement in the process of institutional audit is highly valued on both the local and European scene. But how far has student participation gone in the global context? How long will it take until students' participation is seen as a priority to enhancing quality management in higher academic standards? It is only by including all stakeholders within the sphere of Higher Education that a culture of quality can be truly achieved.

6.2 Student mobility and internationalisation of degrees

Recognised as a prominent action line in the Bologna Process, Quality Assurance finds itself amongst the main concerns of European students, in particular the European Students' Union. In its Policy Paper 'Towards 2020, a student-centred Bologna Process', ESU evaluates how the emphasis on increasing student mobility and the internationalisation of degrees as a means of facilitating the geographical flexibility of the labour market was one of the catalysts that triggered the Bologna Process.

European students are in favour of expanding the achievements of the Bologna Process to the context of academic values such as cooperation, increased recognition of qualifications and intensified dialogue between institutions. In line with the Standards and Guidelines for Quality Assurance in the European Higher Education Area (ESG), the Bologna Process has increased the transparency and comparability of Higher Education, and consequently increased its attractiveness on a global scale. As stated in the Prague Student Declaration, ESU feels that the Bologna Process placed increased focus on the quality of education across Europe, and that citizens from around the world should be able to access education in the same spirit of social justice, equity and mobility that ESU believes should be the cornerstone of the EHEA.

It is generally agreed that students are mostly concerned about receiving quality assured education. This should take precedence over consumer protection, which reduces international students to customers or consumers of education – who pay tuition fees to receive education. Here, ESU would like to highlight the importance of the use of the term "learner" protection as opposed to "consumer" protection, the latter having a more commercial connotation.

In order for students to receive high-quality education, it is indispensable to expose TNE providers to QA mechanisms of both the hosting and exporting countries. ESU would certainly appreciate a commitment that students will be involved on all levels of HE as equal partners, and that standards and procedures will be developed through consultation with the respective student bodies.

ESU advocates the exchange of experience and knowledge through student mobility outside Europe, whilst it strongly opposes any attempt to turn mobility into a commercial market or for it to be seen as a commodity. Increasing public funding for higher education would reaffirm the principle that education is a public good and not simply a commodity to governments or worse, a commercial practice, as this will ultimately drive students away from Europe, thus defeating the objectives set forth in the Bologna Process. Consequently, ESU has – through its policy paper – called upon ministers to ensure that mobility is fostered for the benefit of students and not as a means of selling education. In this regard, ESU feels that it is of fundamental importance to first work towards successfully implementing the current action lines in a European context before considering to extend the scope of the Bologna Process to the global community. Nevertheless, global cooperation in the field of research

should be high on the agenda of the EHEA, as should research activities address issues of mutual concern and synergy such as education and energy policies, cross-border conflict and environmental issues.

6.3 Transnational education and the protection of students

The concept of transnational education, whereby learners are located in a country different from the one where the awarding institution is based, is relatively new, and has inevitably raised quite a few eyebrows. Being described as an "export product" by the Global Alliance for Transnational Education, such system may be susceptible to exploitation where students are treated as customers or consumers rather than partners in the educational process. Another issue related to TNE that ESU is concerned about is cultural sensitivity.

There is a need to review systems to address the quality of the education available. The operation of fraudulent or substandard providers is a chief "consumer protection" concern. Notwithstanding that a certificate is awarded transnationally by a reputable university, and is recognised or accredited by its home country, it is still necessary to see whether the course content is the same as that provided at the home institution. There should be no room for discrepancy between quality in higher education provided at home and that provided in a foreign institution, whether in Europe or beyond. The ESG have undertaken the challenging initiative to oversee the successful implementation and consistency of quality assurance procedures in higher education institutions (HEIs). In this regard, ESU encourages the use of common reference points for quality assurance in cross-border higher education in addition to the national guidelines which HEIs are already subjected to. The next challenge for current quality assurance systems should be to develop appropriate methodologies and mechanisms to cover foreign providers and programmes – in addition to national providers and programmes – in order to maximise the benefits and limit the potential disadvantages of the internationalisation of higher education (UNESCO/OECD Guidelines, p.8). It is also fundamental to determine whether there is the appropriate cultural sensitivity applied to the local requirements, whether the methods of teaching are appropriate for achieving the objectives of the course and have taken local cultures into account, and whether the physical, administrative, communicative and other resources are adequate to support successful learning.

Regular assessments of trends in the development of transnational education and the demand patterns should be mandatory. Additionally, an analysis of the profile, expectations, and preferences of transnational education students should be the responsibility of both States involved in the provision of TNE. If properly and successfully implemented, TNE may contribute significantly to fostering access to higher education by allowing a bigger percentage of the population to enroll in tertiary educational programmes. Furthermore, ESU believes that TNE can increase and diversify the educational possibilities available for students.

6.4 The UNESCO/OECD Guidelines

A transnational educational system which takes into account all of the above in a holistic manner is not possible without the establishment of an enforceable regulatory framework by a supranational body such as UNESCO – a body which leads education on a global level and aims to meet the learning needs of all students. In an attempt to

enhance quality in cross-border higher education on a global level, UNESCO and OECD have developed a set of guidelines, known as the UNESCO/OECD Guidelines. Such Guidelines are not intended to override the state's authority to control whether HEIs are conforming with the Bologna Process action lines, but involve collaboration on a European, as well as international scale, most pertinently in the exchange of academic experiences (particularly in QA systems where students should have a central role).

ESU hopes that the UNESCO/OECD Guidelines on TNE will encourage stakeholders to focus their efforts on implementing the Guidelines on both a global and national scale. Quality Assurance on a national level will have a spill-over effect onto the international level, supporting the 'Quality Begins at Home' premise.

It is of utmost importance to carry out regular monitoring of TNE developments and revise the Guidelines accordingly, giving particular attention to the social dimension and unfettered access to quality higher education, so as to avoid a situation where they become obsolete.

Another ESU recommendation is the promotion and dissemination of the UNESCO/OECD Guidelines beyond HE stakeholders, as it could prove useful to policy development by entities that have a right to voice their concerns on issues such as quality assurance in HEIs. The contribution of student organisations focused on specific disciplines will certainly be constructive and worthwhile in the broader spectrum of cross-border quality assurance.

Since the UNESCO/OECD Guidelines are not marketed to their full potential and provided to a broader audience, information campaigns are certainly needed, combined with a think-tank on developing a youth project in regard to the Guidelines. UNESCO should also consider strengthening its links with regional and continental student organisations to facilitate the exchange of information and promotion of QA in cross-border HE. UNESCO and OECD should also provide information through viable channels on cross-border higher education, according to each educational field, so that student bodies may disseminate the information to their members.

But how much impetus have the UNESCO/OECD Guidelines gained towards their successful use by TNE providers? In a survey carried out by ENQA in 2008[19], out of the 51 responding agencies within 30 EHEA (European Higher Education Area) countries, we find that seven respondents make use of the UNESCO/OECD Guidelines for their agency's external quality procedures. Nevertheless, the survey also showed that 41 of the responding agencies use the agency's own published criteria and standards, 39 apply the European Standards and Guidelines while 31 employ national criteria and standards for their agency's external quality procedures.

In an attempt to infiltrate the UNESCO/OECD Guidelines further within the sphere of Transnational Education, a number of projects, such as the Transnational European Evaluation Project, also known as TEEP II (2005–2006), are currently being put into action to address the issue of QA in TNE. Another project revolves around the increase of efforts for mutual recognition of the results of accreditation procedures, also known as the European Consortium of Accreditation (ECA). The latest project launched focuses on Transparent European Accreditation and Mutual Recognition Agreements (TEAM II).

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19 Quality Procedures in the European Higher Education Area and Beyond – Second ENQA Survey, http://www.enqa.eu/files/ENQA%20Occasional%20papers%2014.pdf

6.5 Conclusive remarks

The strengthening of the network between international student organisations in addressing issues such as quality provision in cross-border higher education should be high on the agenda of UNESCO as well as OECD. Furthermore, considering that TNE is a relatively new concept in HE in the global context, the compilation of systematic information and the creation of a database on TNE institutions in Europe would be vital for students interested in TNE. Essentially, the development of a TNE information tool would better respond to the need for an accurate means to recognise the qualifications awarded by transnational institutions of higher education. Reference shall also be made to interpretation of the UNESCO/OECD Guidelines, and towards their wider dissemination amongst the different stakeholders.

In its recommendations, ESU advocates for more involvement by UNESCO and students in institutional evaluation activities. Both UNESCO and student bodies need to put pressure on quality assurance agencies to ensure that quality provision in cross-border education is adequately addressed.

The fundamental objective behind the successful implementation of quality assurance in transnational education remains the desire for more quality in higher education. It is in all our interests to ensure that education continues to develop for the benefit of our youth, and the generations that follow after.

Chapter 7: Conclusions and recommendations to the Bologna Follow-up Group

Peter Williams, QAA, UK, Sjur Bergan, Council of Europe, Stamenka Uvalic-Trumbic, UNESCO, Michele Soinila, ENQA

7.1 Key Findings

The main conclusions identified in the present report and during the discussions at the seminar are outlined here below.

1. **Responsibility for QA in TNE**

   There was a common consensus among the participants that QA systems for TNE should be developed collaboratively. The relevant authorities in the country in which the education is actually offered and those in the country in which the provider is based, share a joint responsibility to assure the quality of the education offered. In respect of education provided within the EHEA, the E4 (ENQA, EUA, EURASHE, ESU) should survey current arrangements for QA of TNE and promote good practice in their implementation.

   Most countries now have relatively comprehensive regulatory and policy frameworks for assuring the quality of higher education offered by their own HEIs within their national jurisdiction – but TNE activities are often excluded from these frameworks. There is no evident reason why this should be so and all higher education provided by a country's HEI should be subject to its national regulatory framework, irrespective of where the students actually undertake their study. The same factors that apply to the QA of national higher education should also be applied to the QA of TNE, even though it is being offered in another country. This implies that the cultural context in which the TNE is being delivered is taken into account and respected. Indeed, undertaking a successful international strategy requires a long-term investment and sensitivity to both local cultural concerns and academic concerns with quality. Additionally, It should also be kept in mind that higher education, whether transnational or not, is a public good and responsibility and should not be regarded as a commercial practice.

   HEIs should recognise that the same rigour should be applied to the QA arrangements used for all their programmes, no matter how they are delivered (i.e. including TNE). As for governments, they have the same obligations towards transnational providers as they do towards national ones. They have to ensure that both transnational and domestic education are of high and consistent quality and that transparent information is provided. As in all higher education, responsibility for quality assurance of TNE is ultimately national and the final responsibility for the quality and standards of TNE lies within HEIs.

   It would be helpful to carefully consider the implications of the phrases "education system" and "institution belonging to a national education system." For institutions that belong to a national system, there are fairly clear

arrangements for QA, at least if the system in question is that of a country which has adequate QA provision. TNE can either belong to a national system while operating in a country different from the one to which it belongs (e.g. branch campuses of a UK university operating in Malaysia, unless the branch campus is (also) formally a part of the Malaysian HE system), or is detached from a national system and does not belong to one. In some cases, it may be difficult to determine whether provision belongs to a national HE system or not, and if it does, whether it belongs to the national system of the providing or receiving country.

The Bologna seminar expressed the view that resources for assessing quality should be built into the planning and delivery of all programmes from the very beginning. There is a clear need for close co-operation and networking between agencies responsible for QA in both countries, given the large number of programmes which can be involved. Enhanced communication, involving both the sending and receiving QA bodies, is particularly important for ensuring the quality of TNE. In addition, there needs to be open and constructive debate about the extent to which governments should be expected to intervene in matters related to the QA of TNE and the recognition of study programmes.

It is not enough to state a requirement that TNE should be subject to QA processes; steps must be taken to ensure that that the requirement is fulfilled. At the same time, an institution should not be required to undergo QA when this is not practicably possible. It would be most undesirable to make such a requirement if the agencies were unable to cope with the total demand for QA within a reasonable time frame. QA agencies, whatever their formal status, operate under a public mandate, and it is a public responsibility to make sure that they have sufficient capacity and resources to allow them to meet the responsibilities placed upon them.

2. **Relationship between the ESG, INQAAHE GGP and UNESCO-OECD Guidelines**
The seminar participants agreed that the UNESCO/OECD Guidelines provide a comprehensive foundation for building institutional and national QA cultures for TNE. They are likely to become a key reference document as TNE spreads and is the least regulated field of higher education. They are compatible and can function well with the ESG and the INQAAHE GGP. There was broad agreement that because the UNESCO/OECD Guidelines were created using a process that included extensive consultations with stakeholders, there was a sufficient degree of ownership by the key participants to ensure that their implementation was beneficial.

There remained a need for a greater awareness of (and engagement with) the issues surrounding TNE, which the Guidelines highlighted. No additional guidelines were needed, but more emphasis should be put on the implementation of those already existing. In addition, a concerted effort of all involved parties would be needed to build compatibility and convergence between QA systems.

The Guidelines could be used to spur governments and HEIs to consider the significance of TNE and its effects and impacts on their HE systems. Once The European Quality Assurance Register for Higher Education (EQAR) was fully operational, it could assist in making QA for TNE within the EHEA easier, since

the agencies in EQAR might undertake QA outside their own countries and have their QA assessment recognised by other countries of the EHEA. It would be important that public authorities in the EHEA accepted the validity of such statements in their own system.

3. **Significance and use of information about TNE**
The extent of TNE in Europe (and indeed outside) remains unclear – there is no information on how many European countries are involved in exporting and importing higher education. There are problems with capturing data about such activities, as there is no common register of those offering TNE. Not all HEI's are licensed with the host country government (or are required to be), and many are privately financed, etc. There is clearly a need for more transparent and reliable information, to enable a broader understanding of the TNE phenomenon at the societal level, as well as to support the mobility of students and academic staff. UNESCO and OECD could benefit from including relevant information on TNE providers, existing QA mechanisms and good practice on their respective websites, thereby making this information more widely and easily available. UNESCO could use its existing portal on recognised higher education institutions for this purpose. This portal could feature guidelines for prospective applicants into TNE programmes, and could be further developed with the involvement of the stakeholders.

The further mapping of TNE in the EHEA could be linked to the ESG, and developed by ENQA in collaboration with its E4 partners (EUA, ESU, EURASHE). The E4, that has been asked to take general oversight of quality matters in the EHEA, could be asked to undertake such a mapping exercise liaising with other organisations as appropriate. This would provide an opportunity for agencies, students and HEIs to work together to identify TNE questions in the EHEA and to develop solutions in a way that is consistent with European processes.

7.2 Final Recommendations to the Bologna Follow-up Group

7.2.1 A GENERAL MAPPING STUDY OF TNE PROVISION BEING OFFERED WITHIN THE EHEA SHOULD BE CONSIDERED. THIS KIND OF A MAPPING EXERCISE COULD INCREASE UNDERSTANDING OF THE DIFFERENT KINDS OF PROVISION INVOLVED, HOW QUALITY IS ASSURED, HOW TNE RELATES TO NATIONAL EDUCATION SYSTEMS, ETC. THE STUDY COULD BE UNDERTAKEN BY THE E4 GROUP IN COLLABORATION WITH OTHER STAKEHOLDERS.

There is an assumption that Europe is "clean" of fraudulent TNE activity but in reality some problem pockets do exist within the region. There is also a lack of knowledge about the scale and types of TNE provision within Europe. A mapping study would address these issues and facilitate understanding on how arising questions are dealt with (i.e. questions such as whether some governments turn a blind eye, the lack of awareness, lack of power, too much/too little regulation etc). Asking governments, HE ministries and other stakeholders how they track the TNE which takes place within their jurisdiction, and how they monitor it for quality would also give a valuable insight into the different structures that currently exist and how these might be able to work efficiently together.

7.2.2. A SENTENCE SHOULD BE INSERTED INTO THE LEUVEN COMMUNIQUÉ OF THE BOLOGNA PROCESS WHICH STATES THAT TNE SHOULD BE CONSIDERED AS "EDUCATION" AND, AS SUCH, SHOULD BE SUBJECT TO THE SAME GUIDELINES AS ARE APPLIED TO ANY OTHER EDUCATIONAL PROGRAMMES. HENCE, TNE IS SUBJECT TO THE SAME PRINCIPLES OF PUBLIC GOOD AND PUBLIC RESPONSIBILITY THAT CONSTITUTE THE BASIS FOR ALL HIGHER EDUCATION.

It should be made clear in the Leuven communiqué that while inclusion of TNE was implicit in previous ministerial statements, it is now explicit – all the guidance, aims, etc (such as the ESG) apply to TNE, as it is included within the definition of "education."

Annex – Programme of the seminar

Quality Assurance in Transnational Education (TNE) – From words to action

BOLOGNA SEMINAR ORGANISED BY ENQA AND HOSTED BY QAA, UK 1–2 DECEMBER 2008

Venue: Hotel Novotel London St. Pancras, 100–110 Euston Road, London, NW1 2AJ
Co-organisers: UNESCO, Council of Europe, ESU, Education International

CONFERENCE PROGRAMME

MONDAY, 1 DECEMBER 2008

08:45   Registration

09:30   **Welcome and introduction**
         Peter Williams, Chief Executive, Quality Assurance Agency for Higher Education (QAA), UK

09:35   **Setting the stage: Current trends in transnational education landscapes (in and from EHEA) and the development of regulatory frameworks**
         Professor Sir Drummond Bone, Chair of the Advisory Group of the Observatory on Borderless Education

10:15   **Introduction to the OECD-UNESCO Guidelines for quality provision in cross-border higher education**
         Stéphan Vincent-Lancrin, Analyst, Directorate for Education, Centre for Educational Research and Innovation (CERI), OECD
         Stamenka Uvalic-Trumbic, Chief, Section for Reform, Innovation, and Quality Assurance, UNESCO Global Forum on Quality Assurance, Accreditation and the Recognition of Qualifications

         Chair: Carolyn Campbell, Head of International Affairs, QAA

11:00   Coffee break

11:30   **Regional developments and implementation in the regional networks of the UNESCO-OECD Guidelines – lessons learned (good practices, shortcomings, additions to be made, etc.)**
         Bruno Curvale, President, European Association for Quality Assurance in Higher Education (ENQA) and Head of International Affairs, French Evaluation Agency for Research and Higher Education (AERES)
         Yves Beaudin, National Coordinator, Canadian Information Centre for International Credentials (CICIC)

Antony Stella, Board Member, Asia-Pacific Quality Network (APQN) and Audit Director, Australian Universities Quality Agency (AUQA)
Gemma Rauret, Managing Director, National Agency for Quality Assessment and Accreditation of Spain (ANECA) and representative of the Red Iberoamericana para la Acreditación de la Educación Superior (RIACES)

Chair: Peter Williams, QAA

12:30 **Response by stakeholders – moderated panel discussion:**
Ligia Deca, Chairperson, European Students' Union (ESU)
Marita Aho, Expert in Higher Education, BusinessEurope / Confederation of Finnish Industries
Andrée Sursock, Deputy Secretary General, European University Association (EUA)
Lars Lynge Nielsen, President, European Association of Institutions in Higher Education (EURASHE)
Paul Bennett, Education International (EI)

Chair: Bruno Curvale, ENQA

13:15 Lunch

14:30 **Breakout sessions: how could the UNESCO-OECD Guidelines be made use of and developed in the EHEA? (Facilitated with a short introduction and some focused issues/questions for participants to consider)**
   a. **by the higher education institutions** *(facilitator: Andrée Sursock, EUA)*
   b. **by the governments** *(facilitator: Sjur Bergan, Head, Higher Education and Research Division, Council of Europe, CoE)*
   c. **by the quality assurance agencies** *(facilitator: Peter Williams, QAA)*
   d. **by the students** *(facilitator: Ligia Deca, ESU)*

16:00 Coffee break

16:30 **Moderated panel discussion: the voice of the students on quality and recognition, by:**
Estevan Ikonomi, University of Roehampton
Marinela Marinova, City College, Greece
MissaElizabeth StantonGuthrie, Regent's College, London
Christina Theophilidou, City College, Greece

Chair: Ligia Deca, ESU

Respondents: Sjur Bergan, ENIC-NARIC/ CoE and Bruno Curvale, ENQA /AERES

18:00 **End of the first day**

19:30 Dinner at Novotel

TUESDAY, 2 DECEMBER 2008

09:00   **Comparative analysis of international guidelines in quality assurance: INQAAHE guidelines for good practice (GGP); Standards and guidelines for quality assurance in the European higher education area (ESG); Council of Europe – UNESCO Code of good practice in the provision of transnational education; and UNESCO-OECD Guidelines for quality provision in cross border higher education,**
Prof. Marlene Hamilton, University of the West Indies
Antony Stella, APQN / AUQA

Chair: Bruno Curvale, ENQA

10:00   **Breakout sessions: identifying key questions/ points/ recommendations for the Final Plenary Session (up to 3 per group)**
5 groups chaired by
Nathalie Costes, Project Manager, ENQA
Carolyn Campbell, QAA
Lars Lynge Nielsen, EURASHE
Sjur Bergan, CoE
Marlene Hamilton, University of the West Indies

11:15   Coffee break

11:30   **Providers of cross border higher education in and from the EHEA: addressing the challenges of quality assurance,**
Wicher Schreuders, Assistant Coordinator, Erasmus Mundus Master's Programme in Law and Economics (EMLE)
Reg Jordon, Director of Medical Education, University of Newcastle and Liz Smith, Senior administrative officer, NUMed Malaysia

Chair: Carolyn Campbell, QAA

12:15   **Final Plenary session: Where next? Towards suggestions to the Bologna Follow-up Group (BFUG)**
Peter Williams (Chair) and the Panel (Sjur Bergan, Andrée Sursock, Stamenka Uvalic-Trumbic, Marita Aho, Ligia Deca, Lars Lynge Nielsen, aul Bennett)

13:15   End of the seminar and lunch

The present report is the product of an ENQA Bologna Seminar "Quality Assurance in Transnational Education: from words to action" hosted by the Quality Assurance Agency (QAA, UK) in London in December, 2008. The seminar discussed the current trends in Transnational landscapes, the influence of the UNESCO-OECD Guidelines for cross-border higher education and their compatibility with the Standards and Guidelines for Quality Assurance in the European Higher Education Area. The outcomes of the seminar were later presented as recommendations to the Bologna Follow-up Group.

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