

## 1.8

CROSS-BORDER  
HIGHER  
EDUCATION: ISSUES  
AND IMPLICATIONS  
FOR QUALITY  
ASSURANCE AND  
ACCREDITATION

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*Abstract*

Internationalization is transforming the world of higher education and globalization is changing the world of internationalization.

The exponential growth in the mobility of students, programmes and providers across borders brings us new opportunities to increase access to higher education, yet it also introduces new risks. One of the most important challenges in cross-border education is how to ensure the quality of academics and to achieve the recognition/legitimacy of what qualifications are awarded. This paper focuses on key issues and implications such as registering and accrediting the diverse range of new types of foreign providers, whether they are traditional universities, commercial companies or partnerships of local/foreign, public/private or profit/non-profit providers of higher education. Examples of recent initiatives undertaken by various countries to monitor and ensure a quality provision of education are examined. These include codes of good practice developed by government bodies and university associations, the UNESCO/OECD Guidelines on Quality Provision in Cross-Border Higher Education, as well as national regulatory frameworks developed by countries such as Malaysia, Hong Kong and Australia for recognizing and approving incoming and outgoing cross-border programmes.

## INTRODUCTION

Internationalization is of one the forces that is having a profound effect on higher education at the beginning of the twenty-first century. Internationalization is a multifaceted process that is integrating an international dimension into the purpose, goals, functions and delivery of higher education. One of the key elements of internationalization is academic mobility/cross-border education. It is true that academic mobility across borders has been a central feature of higher education for centuries. The fact that the notion of 'universality' is key to the concept of university demonstrates the existence of an international dimension since the very founding of universities as institutions of higher edu-

cation and research. While the international mobility of students and scholars represent long-standing forms of academic mobility, it has only been over the past two decades that greater emphasis has been placed on the movement of educational programmes, higher education institutions and new commercial providers across national borders.

The growth and changes in cross-border programmes and provider mobility are remarkable. There are new types of providers, new collaborative partnerships, new modes of delivery, and new types of awards and qualifications that have been granted. This paper aims to examine the issues and questions concerning quality assurance and the accreditation of cross-border delivery that takes education to students in their own countries. The focus is clearly on academic programmes and institutions/providers moving across borders – and not on student mobility.

The outline of the paper is as follows: The first section provides concrete examples of recent developments in a range of modalities of cross-border education – franchises, twinning, double/joint degrees, articulation agreements, branch campuses, virtual universities and others. It also points to the need to collect comparable data in order to inform the development of new policies and regulations, especially insofar as concerns accreditation. The second section examines the key issues and dilemmas related to the registration of cross-border providers, accreditation and quality assurance systems, degree and accreditation mills, and the recognition of qualifications. In the third section, a number of new quality assurance and accreditation initiatives are examined. These include the new UNESCO/OECD Guidelines on Quality Provision in Cross-Border Higher Education, a number of Codes of Good Practice and several examples of National Regulatory Frameworks for sending and receiving countries. The last section addresses what is at stake if the higher education sector does not adequately address the quality assurance and accreditation challenges posed by cross-border education.

## NEW DEVELOPMENTS IN CROSS-BORDER EDUCATION

### INCREASE IN STUDENT, PROGRAMME AND PROVIDER MOBILITY

A fascinating but very complex world of cross-border education has recently started to emerge. The past five years have been a hotbed of innovation and new developments. For instance, the University of Phoenix has become the largest private university in the USA (owned and operated by the Apollo Group company) and is now physically present or delivering courses in Puerto Rico, Netherlands, Mexico and Canada. Other Apollo companies are offering courses in Brazil, India and China. The Netherlands Business School (Universiteit Nyenrode) has recently opened a branch campus in Nigeria and Harvard is developing two branch campus initiatives in Cyprus and the United Arab Emirates. Furthermore, Jinan University will be the first Chinese university to open a branch campus outside China and will do so in Thailand. Laureate Education (formerly Sylvan Learning Systems) has purchased whole or partial private higher education institutions in Chile, Mexico, Panama and Costa Rica and owns universities in Spain, Switzerland, and France. Dubai has developed a 'Knowledge Village' in the Dubai Technology and Media Free Zone and to date the London School of Economics, India's Manipal Academy of Higher Education and the University of Wollongong from Australia are offering courses through franchising agreements and branch campuses. The University of Westminster (UK) is the key foreign academic partner in the new private Kingdom University of Bahrain and plays a similar advisory/provision role with new institutions in Nigeria, Uzbekistan and Kazakhstan. As of June 2003, Hong Kong had 858 degree level programmes from 11 different countries operating in SAR and Singapore had 522 degree level programmes from 12 foreign countries. In 2002, Australia, as one of the lead exporters of education, had 97,000 students enrolled in 1569 cross-border programmes. These examples are only a few examples of the hundreds of new initiatives that have been undertaken over the past five years (Observatory on Borderless Higher Education, 2002–2005) (see <http://www.obhe.ac.uk/>). These involve higher education providers (including institutions and companies) delivering their courses and programmes to students in their home countries. It is convincing evidence that it is no longer just the students who are moving across borders.

### AVAILABILITY OF DATA ON CROSS-BORDER EDUCATION

There is a serious lack of solid data on the volume and type of cross-border programme and provider mobility. Institutions and national education systems have invested

a lot of effort in gathering reliable data on student mobility, but it is only in the past five years that countries and international organizations are starting to track programme and provider mobility. The paucity of information on programme mobility creates an undesirable environment of speculation, confusion and frequent misinformation. This can have negative consequences in terms of people's confidence in the quality and dependability of the delivery of cross-border education and impedes the analysis needed to underpin solid policy and regulatory frameworks, especially for accreditation.

There are huge challenges to collecting this sort of data due to a lack of a common set of terms and to different systems of gathering data. Australia, New Zealand and more recently the UK have gathered statistics from the recognized HEIs on the extent of their cross-border education provision. Other countries, most notably in Europe, are collecting descriptive data on cross-border provision primarily focused on intra-European mobility. These efforts are primarily directed towards collecting data on traditional university priorities and often do not include the new and alternative providers such as companies and international networks or joint ventures.

### COMPARATIVE ANALYSIS CROSS-BORDER PROGRAMME ACTIVITY AT AUSTRALIAN, UK AND NEW ZEALAND HEIS

Australia is the leader in terms of having up-to-date and fairly comprehensive data from universities on the volume, types, award level, and disciplines offered in cross-border programme delivery. The Australian Vice-Chancellors Committee, as well as the Department of Education, Science and Technology (DEST) collect, analyse and publish this data on an annual basis. In 2001, in New Zealand, the International Policy and Development Unit of the Ministry of Education undertook a major survey of cross-border delivery in all tertiary institutions but this is not yet an annual data-gathering exercise. The UK Higher Education Statistics Agency has collected information for the 2002/03 academic year on UK education programmes offered abroad. This is the first time it has gathered this data and published its findings. This is definitely a step forward, but what is urgently needed is a set of internationally accepted definitions and indicators to assist with the collection of data related to cross-border programme and provider mobility.

An examination of the information from Australia, New Zealand and UK reveals differences in the respective approaches to the collection and interpretation of data. Insofar as was possible, a comparative analysis was undertaken to determine whether there were noteworthy similarities and differences. In order to attain a degree of comparability, some of the raw quantitative data was con-

verted into percentages. This required some rounding off of numbers. It is emphasized that the information presented in Table 1 is for illustrative purposes only. It is also noted that these three reports provide data on the export of programmes and do not provide information on any cross-border education coming into their jurisdiction. However, it is probably fair to say that the number of cross-border programmes and providers being imported into these three countries is insignificant compared with the number of outgoing programmes and providers.

It is not surprising that the cross-border activity of these three countries is largely concentrated in the Asia-Pacific region. This is due to geographical proximity, historical and linguistic ties, and most importantly the fact that many Asian countries do not have the capacity to meet the increasing local demand for tertiary level education.

Asia is certainly the region to watch for new developments. As this analysis shows, Malaysia, Singapore, China and (to a lesser extent) Thailand, India and Vietnam have been the most popular destination countries

during the last five to ten years. During this period, a maelstrom of new types of partnerships have developed through franchising, twinning and articulation programmes between foreign HEIs and local HEIs and private companies. These receiving countries have learned a great deal from their foreign partners and are currently being more proactive and strategic in exporting their own programmes and providers to neighbouring countries in Asia and the Middle East. This includes a substantial number of private commercial companies such as Singapore's Raffles LaSalle, Informatics and Hartford, Aptech and NIIT from India and SEG and Stamford College in Malaysia. Given that Asia will represent approximately 70 per cent of the global demand in 2025 (Bohm et al., 2002), this part of the world will be the region to watch carefully for new trends and developments. It is already the leader in terms of establishing new national regulatory frameworks for registration, quality assurance and accreditation of cross-border education.

TABLE I.8.1

**Comparative data on programmes offered across borders**

	United Kingdom	Australia		New Zealand
Year data collected	2002/03	1999/2000	2003	2001
Percent of HEIs delivering cross-border programmes		88% of universities		47% of all (38) public HEIs (88% of universities)
Number of students in cross-border programmes	101,645 students	34,905	97,751 students	2200 students (increase from 380 in 1997)
Number of cross-border programmes			1569 programmes	63 programmes (increase from 6 in 1997)
Primary locations	Hong Kong	Hong Kong, Malaysia and Singapore	China, Hong Kong, Singapore and Malaysia represent 70% of cross-border delivery	Malaysia 23% China 9% Australia 9% Hong Kong 6% Singapore 6%
Level of degrees	Undergrad 56% Graduate 44%			Sub-degree 34% Undergrad 39% Postgrad 27%
Primary disciplines	Business 44% Joint Degrees 21% Law 13% IT 8.5%		Business Administration Economics	Business/Commerce 15% Special Medicine 15% Computer Science 14% Management 13%
Spread of activity among HEIs	10 institutions account for 8% of cross-border enrolments			3 institutions account for 55% of all cross-border programme delivery
Mode of delivery				42% through campus-based teaching 32% through distance only 26% used combination
Source of data	HESA 2002/03 London External 2002/03 – As reported by OBHE July 2004	DEST Overseas Student Statistics 2000	AVCC Offshore Programmes of Australian Universities 2003	Ministry of Education 2002

Source: Knight, 2005a.

## DIVERSITY IN TYPES OF PROVIDERS

The increase in worldwide demand for higher education has resulted in a diversity of providers delivering education across borders. The providers are classified into two categories: (i) the traditional higher education institutions (HEIs) who are normally oriented to teaching, research and service/commitment to society, and (ii) the ‘new or alternative providers’ who primarily focus on teaching and the delivery of education services, usually on a commercial basis.

*Traditional higher education institutions* include public non-profit, private non-profit and private for-profit institutions. Many countries have a mixed system of publicly and privately funded HEIs. There is a definite blurring of the boundary between public and private institutions as many public universities now find it necessary to seek private financing and to charge a tuition or service fee. On the other hand, in many countries private institutions are eligible for public funds and engage in social non-profit activities.

A very important factor to consider is whether the HEI is part of a home national education system and is recognised by a national bona fide licensing/accrediting body. In cross-border education, recognition/registration is critical to ensuring the legitimacy of the institution and the qualifications provided. The majority of traditional universities are bona fide institutions that comply with domestic and foreign regulations (where they exist). However, there is also an increase in rogue or low-quality providers who are not recognised by bona fide accreditation/licensing bodies in either the sending or the receiving countries. ‘Rogue providers’ are often accredited by self-accrediting groups or by agencies that sell accreditation (accreditation mills).

In addition, there is a worrisome increase in the number of ‘degree mills’ operating around the world (Garrett, 2005). These are often no more than web-based companies that are selling certificates based on ‘life experiences’ and are not delivering any education programmes.

*New or alternative providers:* New providers are diverse in nature, but are typically described as companies or organizations that provide education programmes and/or services for financial gain. They are more oriented towards delivering education and training programmes than undertaking research and scholarly activities. The new providers include publicly traded companies such as Apollo (USA), Aptech (India) and Informatics (Singapore), corporate universities such as those run by Motorola and Toyota, and networks of universities, professional associations and organizations. These new types of cross-border providers can be brick-and-mortar institutions or virtual universities

and can complement, compete, collaborate or simply coexist with domestic higher providers (and other cross-border providers).

## NEW MODES AND MODELS OF DELIVERY PROGRAMMES MOVING ACROSS BORDERS

Cross-border mobility of programmes can be described as the movement of individual education/training courses and programmes across national borders through face-to-face or distance learning models or a combination thereof. Credits towards a qualification can be awarded by the provider in the sending foreign country or by an affiliated domestic partner or jointly. Franchising, twinning, double/joint degrees and various articulation models are the more popular methods of cross-border programme mobility. (Knight, 2005b, p. 20) A short description of each follows:

- *Franchise:* An arrangement whereby a provider in source Country A authorizes a provider in Country B to deliver its course/programme/service in Country B or other countries. The qualification is awarded by provider in Country A. Arrangements for teaching, management, assessment, profit-sharing, awarding of credit/qualification and so on are customized for each franchise arrangement and must comply with national regulations (if they exist) in Country B.
- *Twinning:* A situation where a provider in source Country A collaborates with a provider located in Country B to develop an articulation system that allows students to take course credits in Country B and/or source Country A. Only one qualification is awarded by provider in source Country A. Arrangements for twinning programmes and awarding of degree usually comply with national regulations of the provider the source Country A.
- *Double/Joint Degree:* An arrangement whereby providers in different countries collaborate to offer a programme for which students receive qualifications from both providers, or a joint award from the collaborating partners. Arrangements for programme provision and criteria for awarding the qualifications are customized for each collaborative initiative in accordance with national regulations in each country.
- *Articulation:* Various types of articulation arrangements between providers situated in different countries permit students to gain credit for courses/programmes offered by all of the collaborating providers. This allows students to gain credit for work done with a provider other than the provider awarding the qualification.
- *Validation:* Validation arrangements between providers in different countries allow Provider B in

receiving country to award the qualification of Provider A in source country. In some cases, the source country provider may not offer these courses or awards themselves, which may raise questions about quality.

- *Virtual/Distance*: Arrangements where providers deliver courses/programmes to students in different countries through distance and online modes. This may include some face-to-face support for students through domestic study or support centres.

It is clear that a key factor in programme mobility is *who* awards the course credits or ultimate credential for the programme. As programme mobility proliferates, there will undoubtedly be further changes to national, regional and even international regulatory frameworks. The question of ‘who grants the credits/awards’ will be augmented by ‘who recognizes the provider’ and whether or not the programme has been ‘accredited or quality assured’ by a bona fide body. Of critical importance is whether the qualification is recognized for employment or further study in the receiving country and in other countries as well. The perceived legitimacy and recognition of the qualification, at home and abroad, are fundamental issues yet to be resolved.

Given that several modes for programme mobility involve partnerships, there are questions regarding who owns the intellectual property rights to course design and materials. What are the legal roles and responsibilities of the participating partners in terms of academic, staffing, recruitment, assessment, financial, and administrative matters? While the movement of programmes across borders has been taking place for many years, it is clear that the new types of providers, partnerships, and awarding and delivery of qualifications are challenging national and international policies and regulatory frameworks, especially in terms of accreditation.

#### PROVIDERS (INSTITUTIONS AND COMPANIES) MOVING ACROSS BORDERS

Cross-border mobility of providers can be described as the physical or virtual movement of an education provider (institution, organisation, company) across a national border to establish a presence so as to offer education/training programmes and/or services to students and other clients. The difference between programme and provider mobility is one of scope and scale in terms of programmes/services offered and the local presence (and investment) by the foreign provider. A distinguishing feature between programme and provider mobility is that with provider mobility the learner is not necessarily located in a different country from the awarding institution, which is usually the case in programme mobility.

Credits and qualifications are awarded by the foreign provider or by an affiliated domestic partner. Different forms of cross-border provider mobility are as follows (Knight, 2005b, p. 20):

- *Branch campus*: Provider in Country A establishes a satellite campus in Country B to deliver courses and programmes to students in Country B (may also include Country A students taking a semester/courses abroad). The qualification awarded is from provider in Country A.
- *Independent institution*: Foreign Provider A (a traditional university, a commercial company or alliance/network) establishes in Country B a standalone HEI to offer courses/programmes and award qualifications. There is usually no ‘home’ institution in Country A and it is therefore independent.
- *Acquisition/Merger*: Foreign Provider A purchases a part or 100 per cent of a local HEI in Country B.
- *Study centre/Teaching site*: Foreign Provider A establishes study centres in Country B to support students taking their courses/programmes. Study centres can be independent or run in collaboration with local providers in Country B.
- *Affiliation/Networks*: Different types of ‘public and private’, ‘traditional and new’, ‘local and foreign’ providers collaborate through innovative types of partnerships to establish networks/institutions to deliver courses and programmes in local and foreign countries through distance or face-to-face mode.

## QUALITY ASSURANCE AND ACCREDITATION ISSUES AND IMPLICATIONS

### REGISTRATION OF CROSS-BORDER PROVIDERS IN RECEIVING COUNTRIES

A fundamental question is whether the institutions, companies and organizations that are delivering qualification-based programmes are registered, licensed or recognized by the receiving country. The answer to this question varies. There are many countries that do not have the regulatory systems in place to register out-of-country providers. Several reasons account for this, including lack of capacity or political will. If foreign providers are not registered or recognized it is difficult to monitor their performance. If an institution/provider is not registered as part of a national system, the usual practice is that regulatory frameworks for quality assurance or accreditation do not apply. This is the situation in many countries in the world and hence foreign providers (both bona fide and rogue) do not have to comply with national regulations of the receiving countries.

The questions and factors at play in the registration or licensing of foreign providers are many. For instance, are there different criteria or conditions applicable to those providers who are part of and recognized by a national education system in their home country than for those providers who are not? Does it make a difference if the provider is for-profit or non-profit, private or public, an institution or a company? What conditions apply if in fact the provider is a company that has no home-based presence and only establishes institutions in foreign countries? How does one monitor partnerships between local domestic institutions/companies and foreign ones? Is it possible to register a completely virtual provider? Clearly, there are challenges involved in trying to establish appropriate and effective national or regional regulatory systems for registering cross-border providers.

Often there are bilateral cultural/academic agreements in place to facilitate and monitor the foreign presence of education providers. However, the fact that education services are now part of bilateral and multilateral trade agreements introduces new regulations and questions. A key question facing national governments, as well as international organizations, is to what extent the introduction of new national regulations to license, recognize or accredit cross-border providers will be interpreted as a raising of barriers to trade and therefore require modification to comply with new trade policies. All in all, the issue of regulating and licensing providers that deliver education across borders needs further attention from national education policy-makers.

#### QUALITY ASSURANCE AND ACCREDITATION OF CROSS-BORDER EDUCATION

First of all, it is important to acknowledge that the terms *accreditation* and *quality assurance* have different meanings and significance depending on the country, actor or stakeholder using the term. In this paper, *quality recognition* and *assurance* are used in a general sense and include quality auditing, assessment, accreditation and other processes and elements used for review.

It must be noted that in the last decade, increased importance has certainly been given to quality assurance and accreditation at the institutional and national levels. In the past ten years, new quality assurance mechanisms and national organizations have been developed in over 70 countries. New regional quality networks have also been established. The primary task of these groups has been quality assurance and accreditation of the domestic higher education programmes offered primarily by public and private higher education institutions. However, the increase in cross-border education offered by traditional institutions and new private commercial providers has

introduced a new challenge (and gap) in the field of accreditation. Historically, national quality assurance agencies have generally not focused their efforts on assessing the quality of imported and exported programmes, with some notable exceptions described in the third section of this paper. The key question now facing the sector is how to deal with the increase in cross-border education by traditional HEIs and more importantly, the new private commercial providers who are not normally part of nationally based accreditation and quality assurance schemes.

As the discussion moves forward it will be of strategic and substantive importance to recognize the roles and responsibilities of all the players involved in accreditation and quality assurance. These include individual institutions/providers; national quality assurance systems; non-governmental and independent accreditation bodies; professional bodies; and regional/international organizations – all of whom contribute to ensuring the quality of cross-border education. Much is at risk if rogue providers or fraudulent qualifications become closely linked to cross-border education. It will be important to work in a collaborative and complementary fashion to build a system that ensures the quality and integrity of cross-border education and maintains the confidence of society in higher education.

#### DIVERSITY AND COMMERCIALIZATION OF ACCREDITING BODIES

The increased awareness of the need for quality assurance and/or accreditation has led to several new developments in accreditation, some of which are helping the task of domestic and international recognition of qualifications, some of which are only serving to hinder and complicate matters. First, it is important to acknowledge the efforts of many countries to establish criteria and procedures for recognition, quality assurance and accreditation systems and the approval of bona fide accrediting bodies. At the same time, it is necessary to recognize the increase in self-appointed and rather self-serving accrediting bodies, as well as accreditation mills that simply sell 'bogus' accreditation labels.

Market forces are making the profile and reputation of an institution/provider and its courses more and more important. Major investments are being made in marketing and branding campaigns in order to get name recognition and to increase enrolments. The possession of some nature of accreditation is part of the campaign and assures prospective students that the programmes/awards are of high standing. The desire for accreditation status is leading to a commercialization of the field of quality assurance/accreditation as programmes and providers strive to

gain as many ‘accreditation’ accolades as possible in order to increase competitiveness and perceived international legitimacy. The challenge is how to distinguish between bona fide and rogue accrediting bodies, especially when neither the cross-border provider nor the accrediting body are nationally based or recognized as part of a national higher education system.

At the same time, there are networks of institutions and new organizations that are self-appointed and engage in accreditation of their members. These are positive developments when seen through the lens of trying to improve the quality of the academic offer. However, there is some concern that they are not totally objective in their assessments and may be more interested in generating income than improving quality. While this can apply to both cross-border and domestic provision, it is particularly worrisome for cross-border provision as attention to national policy objectives and cultural orientation is often neglected.

Another development that is worrisome is the growth in accreditation mills. These organizations are neither recognized nor legitimate and they more or less ‘sell’ accreditation status without any independent assessment. They are similar to degree mills that sell certificates and degrees with little or no course work. Different education stakeholders, especially the students, employers and the public, need to be aware of these accreditation (and degree) mills which are often no more than a web address and are therefore usually outside the jurisdiction of national regulatory systems (CHEA, 2003).

Due to the increase in self-appointed accrediting bodies and accreditation mills, the establishment of a registry of bona fide accrediting bodies may be the necessary next step. It is no longer enough to have recognized higher education providers listed in a national data base; it is now important that there should be a registry of approved accrediting bodies. This is now being undertaken at the regional level by the European higher education community.

It is likely that other sectors besides the education sector will be interested in developing international quality standards and accreditation procedures for education. ISO standards or other industry-based mechanisms such as the Baldrige Awards are examples of systems that might be applied or remodelled for cross-border education. The education sector has mixed views on the appropriateness of the establishment of quality standards for education by those working outside the sector; some see merit to this idea and others see problems. At the same time, there are divergent opinions on the desirability and value of any international standards or criteria for accreditation as this might jeopardize the sovereignty of systems at the national level or contribute to standardization without

necessarily improving quality standards. This issue is complex and there are many different actors and stakeholders involved. However, given the realities of today’s growth in the number and types of cross-border education providers and the prospect of increased trade and new trade rules, there is a sense of urgency to the question of how to ensure the quality of imported and exported education providers and programmes through accreditation processes and criteria or through national regulation.

It is also important to acknowledge that there is a great deal of cross-border mobility of students, teachers and programmes through non-commercial initiatives. Education activities that are part of development aid projects and international academic linkages and networks are good examples. Therefore, international trade of education services is not the only factor driving the urgency of the need to address international quality recognition and accreditation. At this point, it must be clarified that the GATS or other bilateral trade agreements do not claim to be establishing rules for quality assurance and recognition of education but are rather important catalysts for a greater degree of attention being given to the issues at hand.

#### RECOGNITION OF QUALIFICATIONS

The credibility of higher education programmes and qualifications is extremely important for students, their employers, the public at large and of course for the academic community itself. It is critical that the qualifications awarded by cross-border providers are legitimate and will be recognized for employment or further studies both at home and abroad. This is a major challenge facing the national and international higher education sector in light of new cross-border providers and programmes.

UNESCO has long acknowledged the need for an international system to facilitate and ensure recognition of academic and professional qualifications. Regional UNESCO conventions on the recognition of qualifications were established more than 25 years ago and have been ratified by over 100 member states in Africa, Asia and the Pacific, the Arab States, Europe and Latin America. They are uniquely legally binding instruments that deal with cross-border mutual recognition of qualifications. There is a limited general awareness of these instruments except for in the case of the European regional convention, which was jointly updated in 1997 by UNESCO and the European Council at the Lisbon Convention. In 2001, the same two organizations established a Code of Good Practice for Transnational Education that is now a recognized part of the Lisbon Convention. At the present time, there is discussion on how these UNESCO conventions could be used as instruments to complement trade agreements and assure students, employers and the

public that there are systems in place to recognize academic and professional qualifications. Given the growth in academic mobility, the increased mobility of the labour force and the fact that the GATS is encouraging greater professional mobility, there is a clear and urgent need for national education policy-makers to address the issue of recognizing qualifications.

## NEW NATIONAL, REGIONAL AND INTERNATIONAL INITIATIVES FOR ACCREDITATION AND QUALITY ASSURANCE OF CROSS-BORDER EDUCATION

### CODES OF CONDUCT IN PRACTICE

Codes of conduct for cross-border/transnational education have been developed by several national university associations, quality agencies and government departments. They are usually a set of principles to guide the practice of delivering programmes across borders and for establishing partnerships with foreign providers. They are intended for public and private higher education institutions but have relevance for other non-traditional providers as well. The codes differ in substance and perspective. However, they are similar in spirit and purpose, which is to ensure quality in cross-border academic provision regardless of mode of delivery and partnership model, and to maintain the integrity of the academic qualification. Examples of these codes include:

- Quality Assurance Code of Practice: Collaborative Provisions – UK Quality Assurance: <http://www.qaa.ac.uk/academicinfrastructure/codeOfPractice/section2/default.asp>
- Code of Ethical Practice in the Offshore Provision of Education and the Educational Services by Australian Higher Education Institutions – Australian Vice-Chancellors Committee [http://www.avcc.edu.au/documents/publications/Principles\\_final\\_Dec02.pdf](http://www.avcc.edu.au/documents/publications/Principles_final_Dec02.pdf)
- Principles of Good Practice for the Educational Programmes for Non-US Nationals [http://www.neasc.org/cihe/overseas\\_programmes.PDF](http://www.neasc.org/cihe/overseas_programmes.PDF)
- Code of Good Practice in the Provision of Transnational Education – UNESCO/CEPES and the European Council <http://www.cepes.ro/hed/recogn/groups/transnat/code.htm>
- Code of Practice for Overseas Education Institutions Operating in Mauritius – Tertiary Education Commission <http://tec.intnet.mu>

These codes are not enforceable; they strictly serve as guidelines. However, in a similar way to the recently developed UNESCO/OECD Guidelines on Quality Provision in Cross-Border Higher Education, they are impor-

tant awareness-building tools for the different actors in cross-border education and as such are very useful to education policy-makers.

### UNESCO/OECD GUIDELINES ON QUALITY PROVISION IN CROSS-BORDER HIGHER EDUCATION

It is timely that UNESCO and OECD have jointly developed a set of Guidelines on Quality Provision in Cross-Border Higher Education. These Guidelines address six stakeholder groups in higher education – governments, higher education institutions/providers, student bodies, quality assurance and accreditation entities, academic recognition bodies, and professional associations. The purpose of the Guidelines is to encourage international cooperation and to enhance the understanding of the importance of quality provision in cross-border higher education. The Guidelines aim to protect students and other stakeholders from low-quality higher education programmes, accreditation and degree mills, and other disreputable providers. The Guidelines are not legally binding but countries are encouraged to use them in the manner that is most appropriate for their national context (see <http://www.unesco.org/education/hed/guidelines>).

One of the steps towards assuring the quality and accreditation of cross-border education is the development of national regulatory frameworks. To complement these Guidelines, UNESCO and the Asia-Pacific Quality Network have prepared a 'Toolkit on Regulating Quality Assurance in Cross-Border Education'. The Toolkit is designed to help receiving and sending countries with the issues, models, benefits and practical steps in establishing a regulatory framework for cross-border education (UNESCO/APQN, 2006). The following two sections briefly describe several existing national regulatory frameworks for outgoing and incoming cross-border providers. These examples have been taken from the Toolkit, in which one can find more detailed information.

### EXAMPLES OF NATIONAL REGULATIONS FOR 'SENDING' COUNTRIES

The responsibility for the quality assurance and/or accreditation process is the responsibility of different actors. The first line of responsibility falls on the providers themselves, the second corresponds to the sending country, and ultimately of course, the receiving (importer) country as well. This section looks at examples of several countries that have established procedures for assessing domestic institutions that are active in cross-border education initiatives such as twinning, franchising, articulation, double/joint degrees, branch campuses and others. It is interesting to note that these procedures and regulation are usually part of the national accreditation/quality assurance



process for registered higher education institutions. This means that many of the non-traditional and private, for-profit cross-border providers would not be covered by this regulation as they often fall outside a national higher education system of accreditation.

#### AUSTRALIA

The situation in Australia is very interesting as Australian universities have the authority to accredit their own programmes. National protocols/regulations exist and set out a broad set of criteria and procedures for higher education approval processes across the whole sector. However, cross-border education is not part of these national protocols and as a result some states have established their own accreditation boards. The entity which has overall responsibility for quality assurance at universities is the Australian Universities Quality Agency. It is a non-governmental body that includes as part of its mandate a regular cycle of quality audits of universities. These audits include a review of cross-border operations and overseas site visits as is necessary (see [www.auqa.edu.au](http://www.auqa.edu.au)). To date, there is a policy to determine whether an overseas visit is required but there are no specific criteria or guidelines specifically designed for the assessment of different forms of cross-border provision.

Australia is well known for the exponential growth it has experienced in international education in the last decade, including the recruitment of students to domestic-based institutions and also offshore programmes and campuses. In 2005, the government developed a 'Transnational Education Quality Framework'. The four key elements are as follows: (i) better communication and promotion of Australia's quality assurance arrangements for trans-national education and training; (ii) increased access and transparency to data and information regarding transnational activities; (iii) efficient and effective quality assurance functions; and (iv) that domestic and transnational education programmes must be equivalent in terms of the standard of delivery and programme outcome. In essence, although it does serve as an important communication and promotion programme, it is not a regulatory framework (see <http://aei.dest.gov.au>).

#### UNITED KINGDOM

The Quality Assurance Agency (QAA) ([www.qaa.ac.uk](http://www.qaa.ac.uk)) for higher education is responsible for quality assurance of cross-border initiatives undertaken by UK colleges and universities. It is interesting to note that QAA does not register, approve or accredit overseas programmes. Instead, it publishes a code of practice on foreign 'collaborative provision and flexible and distributed learning' and provides information on benchmark standards. It

undertakes institutional audits on a regular basis and addresses cross-border education when foreign collaborative provision is an important part of the institution being reviewed. Thus, for the most part assessment of cross-border education is integrated into regular institutional audit programmes, although a separate code of practice exists that provides important reference points for the assessment.

The code of practice for collaborative provisions addresses a number of key elements including: (i) responsibility for, and equivalence of, academic standards; (ii) choosing a partner organization or agent; (iii) assuring academic standards and the quality of programmes and awards; (iv) assessment requirements; and (v) external examination.

#### UNITED STATES OF AMERICA

The American model of quality assurance and accreditation differs from those of other countries. Instead of having one major national body responsible for accreditation activities, it has a large number of national, regional and professional accrediting bodies that are private, non-profit entities. These accrediting bodies must be recognized either by the Council for Higher Education Accreditation and/or the United States Department of Education.

Many of these accrediting organizations develop their own policies and procedures for accrediting the cross-border education programmes that are part of US higher education institutions. Some of them are also involved in accrediting new commercial providers that set up independent institutions overseas. There is no centrally determined policy for regulating the accreditation or quality assurance of US-based higher education institutions and US commercial companies, such as those listed in the Global Education Index (Garrett, 2004), who are delivering higher education programmes abroad. The Council for Higher Education Accreditation serves as an important advocate and source of information on international accreditation issues and practices, and houses a database of recognized accrediting bodies and information on degree mills (see [www.chea.org](http://www.chea.org)).

It is also interesting to note that many of the regional accrediting bodies in the USA are hired by traditional or alternative providers in other countries to conduct an accreditation process on their institutions. These foreign institutions benefit from the rigorous accreditation process and use the American status of accreditation as an important element in the promotion campaigns to attract students, professors, and research funds. CHEA has developed a set of guiding principles for these US-based accrediting bodies who are working on an international basis. This type of accreditation is different from

the assessment process undertaken for US-based institutions that have overseas operations.

#### EXAMPLES OF NATIONAL REGULATIONS FOR RECEIVING COUNTRIES

As previously mentioned, the Asia-Pacific region is home to the greatest volume, scope and variety in cross-border higher education provision. Thus, it is not a surprise that there have been a number of major advances towards the development of national regulations to monitor and assure the quality of cross-border education whether it be in the form of joint initiatives (such as twinning, franchises, articulation and double/joint degrees), or independent projects (such as branch campuses, virtual universities and standalone institutions).

##### PEOPLE'S REPUBLIC OF CHINA

China is a hotbed of activity in terms of foreign entities establishing joint education ventures with Chinese partners. The demand for post-secondary education in China is enormous given the population demographics and the desire of China to be a serious player in the international economic and political arena. China is one of the most interesting and desirable countries for commercial academic enterprises and while China has opened its doors to these activities it has done so with a national regulatory framework in place. In 2003 China established the 'Regulations on Chinese and Foreign Cooperation in Running Schools'. This law was supplemented the following year with additional regulations on implementation methods. (see [http://www.moe.edu.cn/english/laws\\_r.htm](http://www.moe.edu.cn/english/laws_r.htm)). The law requires that all foreign institutions or companies collaborate with a local provider. Therefore, only joint ventures are permitted and these partnerships must be given permission and accredited by the Chinese authorities.

If a foreign qualification is awarded it must be recognized in the home country of the awarding institution. (This raises the question about the recognition and accreditation challenges of international providers that do not have a home-based awarding institution.) If a Chinese qualification is awarded, then the Chinese institution/partner is responsible for assessing the standards of the foreign institution. In spite of the fact that the necessary accreditation procedures are in place, it is important to understand that foreign qualifications are not automatically recognized. A further step is also required: foreign qualifications must be recognized by a national authority called the Chinese Service Centre for Scholarly Exchange (see [http://www.cscse.edu.cn/matterpages/cscse/index\\_all\\_en.jsp](http://www.cscse.edu.cn/matterpages/cscse/index_all_en.jsp)).

The Chinese regulations are an interesting model to study with regards to the accreditation of foreign

providers given that joint ventures are mandatory. However, the experiences of foreign providers reveal that while the regulations are clear on paper, the implementation is still a challenge given the size and complexity of the higher education system in China and the diversity of local/foreign, public/private, for-profit and non-profit partnerships that are being developed.

##### MALAYSIA

The Malaysian regulations for cross-border education provision are especially interesting as they address quality, cultural and economic requirements. All foreign providers are subject to Malaysia's national quality assurance framework but unlike China, foreign providers are not required to cooperate with a local institution or entity.

There are three levels of assessment in the Malaysian system. The first level is compulsory and provides approval to conduct programmes of study. The second level sets a minimum standard which providers must meet if a qualification is to be offered. The third level involves an accreditation process, which is mandatory if the qualification is to be recognized for employment purposes with the Malaysian public sector. These rules apply to both domestic and foreign providers. The Malaysian Qualifications Authority (a new entity recently formed by the merger of the National Accreditation Board and the Quality Assurance Division of the Ministry of Higher Education) is now responsible for quality assurance and accreditation work at the public and private, and domestic and foreign levels (see <http://apps.emoe.gov.my/qad/main.html>). Malaysia has a long history of welcoming foreign institutions and companies to offer tertiary education programmes, and serves as a good example of a country that has developed the necessary public policy and regulations to do so, as it has even developed an accreditation process to ensure that cross-border education (i) helps to meet national policy objectives, (ii) is of a high quality, and (iii) is economically sustainable.

##### HONG KONG

Hong Kong was early to establish legislation for the regulation of higher and professional cross-border education. In 1997, it introduced a law in order to increase access to higher education for its population by allowing more cross-border programmes, while at the same time ensuring consumer protection (see <http://www.doj.gov.hk/eng/laws>). Foreign providers are free to establish an education programme in their own name or to collaborate with a local institution.

According to the law, registration is mandatory for all cross-border education providers delivering face-to-face or mixed-mode programmes. Although each and every

programme must be formally registered, interestingly, distance education accreditation is done on a voluntary basis. However, it should be noted that foreign providers who cooperate with a self-accrediting Hong Kong institution are exempted from this mandatory registration. In addition to registration, cross-border education programmes and providers may choose to apply for local accreditation by the Hong Kong Council for Academic Accreditation, although to date this has not been obligatory.

The Hong Kong regulations use comparability with the standards of home programmes as the benchmark for quality for foreign institutions, companies or networks. If foreign providers choose to adapt the content of their programmes to be more relevant to local Hong Kong needs and norms, they are free to do so as long as comparability with home standards is maintained. A key assumption of this benchmark is that the provider has a home institution for comparability purposes. As pointed out in the typology of cross-border providers, not all of them have a home base that sets standards of quality nor are they necessarily accredited by a national quality assurance system.

#### NEW ZEALAND

While New Zealand has predominantly been considered an active exporter of education programmes, more recently it has become a major importer of higher education as well. There is a growing interest as cross-border providers see possibilities for establishing joint ventures or standalone initiatives in New Zealand for both domestic and foreign students. It is an intriguing scenario to see foreign providers establish a base in New Zealand to attract foreign students there. Hence, the New Zealand Vice-Chancellors Committee, which oversees quality assurance for universities, and the New Zealand Qualifications Authority (NZQA), which has responsibility for the quality assurance of other tertiary level institutions, are both facing new challenges in terms of quality assurance and accreditation of foreign providers in their jurisdiction.

Foreign providers coming to New Zealand can choose whether to establish a joint venture with a local institutions or to establish a new entity. The latter option is available primarily for executive/professional training. Otherwise, all cross-border providers that will be delivering degree-level programmes, or are registering domestic students who are eligible for tuition subsidies, or are enrolling international students must be registered with the New Zealand Qualifications Authority and go through the same quality assurance procedures as domestic higher education institutions (see <http://www.nzqa.govt.nz>).

These are four different approaches to developing regulations to ensure that cross-border education providers are registered and in most cases undergo the same

processes as domestic institutions in terms of quality assurance and accreditation. It is interesting to note what processes are mandatory and which are voluntary. In these examples, registration is obligatory as is some type of quality assurance but accreditation is optional depending on the level, mode of programme delivery and the type of local/foreign partnership that was been established.

#### QUALITY ASSURANCE AND ACCREDITATION REGULATORY FRAMEWORKS CAN HELP TO MINIMIZE RISKS AND MAXIMIZE BENEFITS

##### ● *For sending countries*

It is important to emphasize that sending countries have a direct responsibility and vested interest in ensuring the quality of the academic offer. The primary reasons are to ensure that students and foreign partner institutions are protected from low-quality and rogue providers, that they have a relevant and high-quality education experience, and that the qualifications are recognized for further study and employment purposes.

However, there are other reasons that sending countries need to have quality assurance or accreditation systems in place for cross-border education. Sending countries can not afford to put their domestic and international reputation at risk by delivering low-quality academic programmes in another country or having academic programmes close down before all students have completed their studies. A tarnished international profile in an increasingly competitive environment could have negative effects on an institution's ability to attract students, researchers, teaching staff and research projects. Another more macroeconomic rationale that drives a country's investment and interest in cross-border education is the opportunity it brings with it for strategic political, economic and technological alliances. This has increasing importance in the knowledge economy. Therefore, if a country's reputation is put in jeopardy due to low-quality education provision overseas it could have far-reaching implications both domestically and internationally.

##### ● *For receiving countries*

The prospect of having foreign education providers deliver academic programmes, establish new institutions and collaborate with local institutions in joint ventures can bring many advantages to receiving countries. Potential benefits include increased access to higher and continuing education, a greater diversity in programme offer, less brain drain of bright students to foreign institutions and exposure to foreign teaching and education management systems. The list of potential benefits is long and

varied. So too, however, is the list of potential risks. Risks can include an increase in low-quality or rogue providers, unsustainable foreign provision of higher education if profit margins are low, foreign qualifications that are not recognized either by domestic employers or for further study, elitism in terms of those who can afford cross-border education or the overuse of English as the language of instruction. Thus, it is critical that receiving countries are clear about the objectives and expected benefits of cross-border provision and that registration, quality assurance and accreditation processes are in place to ensure high-quality provision that will contribute to national policy objectives.

The purpose of this paper is to explore the issues related to quality assurance and accreditation and the practices in delivering education across national borders. There is ample evidence that demand for higher education in the next twenty years will outstrip the capacity of some countries to meet the domestic need. Students moving to other countries to pursue their studies will continue and remain an important part of the international dimension of the higher education landscape. However, student mobility will not be able to satisfy the enormous appetite for higher education coming from densely populated countries wanting to build their human capacity so as to become full participants in the knowledge society. Hence we see the emergence and growing importance of cross-border education programmes and providers.

A review of the new developments in programme and provider mobility shows a diversity of new types of education providers, new delivery modes and innovative forms of public/private and local/foreign partnerships. New courses and programmes are being designed and delivered in response to local conditions and global challenges, and new qualifications/awards are being conferred. The growth in the volume, scope and dimensions of cross-border education has the potential to provide increased access, and to promote innovation and responsiveness of higher education, but it also brings new challenges and unexpected consequences. There are the realities that unrecognized and rogue cross-border providers are active; that much of the latest cross-border education provision is being driven by commercial interests and gain; and that mechanisms to recognize qualifications and ensure quality of the academic course/programme are still not in place in many countries. These present major challenges to the education sector. It is important to acknowledge the huge potential of cross-border education but not at the expense of academic quality and integrity.

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