WHAT IS TRANSNATIONAL EDUCATION?

INTRODUCTION

The following survey on Transnational Education (TNE) wishes to give a dynamic and as exhaustive as possible set of information on how this issue has developed in these last years.

The various forms that TNE can assume, and the lack of national and European clear regulations concerning this increasing form of educational provision imply a meticulous task of compilation and interpretation. Such a task aims at identifying a possible functional and legal framework for the facilitation of a phenomenon that risks, elsewere, to go out of control and create a sort of "meta-university system", based on other criteria as concerns regulations, quality assurance and recognition.

Whatever point of view one can have on TNE, it must be recognised that TNE is not a temporary phenomenon and that it will probably develop more and more in the future.

As S. Adam says: *"It is likely that, in the long-term, traditional student mobility will be eclipsed by study-programme mobility as more transnational programmes are offered. It is becoming cheaper relatively to move courses rather than students. However, the initial cost of developing (hard-copy and software) mobile programmes is very high but once it has been covered the marginal cost of expanding programmes is low (…) In the short-term, the potential impact of transnational education is likely to stay as it is now-of medium scale and significance.*

Most of this growth is likely to be outside Western Europe as most transnational providers regard it as a 'mature educational market'. Central and Eastern Europe and developing countries across the world are likely to be targeted".

The present survey consists of 9 chapters concerning:
1 What TNE is;
2 Main issues emerging from the expansion of TNE
3 Bad practices in TNE: how to defend oneself
4 Good practices in TNE: how to implement them
5 Role of national quality assurance agencies
6 Role of European higher education institutions (HEIs)
7 Role of the ENIC/NARIC network
8 Role of European organisations
9 Perspectives

1. WHAT IS TNE?

A DEFINITION
Although TNE is nowadays a widely spoken subject, there is still a remarkable terminological as well as conceptual confusion on the issue. We have therefore decided to stick to the definition provided by the UNESCO/Council of Europe **Code of Good Practice in the Provision of Transnational Education** (Riga, 6 June 2001)**,** according to which TNE includes *"all types of higher education study programmes, or sets of courses of study, or educational services (including those of distance education) in which the learners are located in a country different from the one where the awarding institution is based".* Besides, the mentioned Code specifies that such

programmes may belong to the educational system of a country different from the one in which they are offered or may be offered independently of any national system.

Therefore, Transnational Education implies crossing the borders of national higher education systems; it usually falls within the category of Non-official Higher Education, which in its turn is defined as *"all forms of higher education activities operating in parallel to and outside the official higher education system of the host country".* This means that Non-official Education operates only outside the official context in the host country, and that TNE may operate both in and outside such a context.

COMMON FORMS OF TNE:

1. Franchising: the process whereby a higher education institution (franchiser) from a certain country grants another institution (franchisee) in another country the right to provide the franchiser's programmes/qualifications in the franchisee's host country, irrespective of the students' provenance (from the first, the second or any other country):
   - in many cases, the franchisee only provides the first part of the educational programme, which can be recognised as partial credits towards a qualification at the franchiser's in the context of a "programme articulation";
   - the franchisee is not always recognised in the host country, even if the franchiser's programmes/qualifications delivered in the home country are recognised in the host country.

2. Programme articulations: inter-institutional arrangements whereby two or more institutions agree to define jointly a study programme in terms of study credits and credit transfer, so that students pursuing their studies in one institution have their credits recognised by the other in order to continue their studies ("twinning programmes", "articulation agreements", etc.). These may -or may not- lead to joint or double degrees.

3. Branch campus: a campus established by a higher education institution from one country in another country (host country) to offer its own educational programmes/qualifications, irrespective of the students' provenance:
   - the arrangement is similar to franchising, but the franchisee is a campus of the franchiser;
   - the notes on franchising apply here as well.

4. Off-shore institution: an autonomous institution established in a host country but saying to belong, in terms of its organisation and educational contents, to the education system of some other country, without having a campus in the pretended mother country:
   - seldom recognised in the host country;
   - some are accredited by regional or national accrediting commissions in the USA (which are often said to be the mother country);
   - some may have articulation agreements with other educational institutions in the country to which they say to belong to.

5. Large corporations: they are usually parts of big transnational corporations and organise their own higher education institutions or study programmes offering qualifications which do not belong to any national system of higher education;

6. International institutions: institutions offering so-called "international" programmes/ qualifications which actually do not refer to any specific education system:
   - may have branch campuses in several countries;
   - seldom recognised in host countries;

- may be accredited by a national accrediting body in the USA, or have articulation agreements with American or British universities (the UK and USA being the countries from whose education systems these institutions more often draw for inspiration).

7. <u>Distance Learning arrangements and virtual universities</u>, where the learner is provided with course material via post or web-based solutions, and self administers the learning process at home. There is a growing number of such institutions, whose programmes/ qualifications may -or may not- belong to the higher education system of a particular country.

2. MAIN ISSUES EMERGING FROM THE EXPANSION OF TNE

REGULATION
The essential issue concerning TNE is that obviously there is not a general legal framework which could harmonise the different educational structures and values of TNE institutions and qualifications. While this fact may cause evaluation difficulties, at the same time it is absolutely positive because it confirms the indipendence of the single national education systems and the safeguard of the cultural identity of each State.
TNE implies the crossing of cultural, linguistic, legislative as well as national and often intercontinental borders. Since it is extremely complex to adapt and harmonise different systems working with different keys and different reference points, the main consequences are that on one hand there are excellent super- or extra-national universities that might find difficulties to expand their study courses outside the national boundries, whilst some non-recognised and fraudolent institutions (the so called "degree mills") can operate in different national contexts at the same time.

Possible Solutions
* A European regulation framework could eradicate the "degree mills"; however, it would also enter in conflict with the single national educational systems, endangering their authonomy.
* An interesting point to stress is that the countries with open regulatory frameworks, like Austria, the Netherlands or Norway, seem to have less problems with transnational education, because such open systems tend to absorb non-official higher education as it comes and, by officialising it, some control is acquired.

QUALITY ASSURANCE
One of the most important issues is how students can be guaranteed about adequate quality standards of both study programmes and degrees awarded through collaborative partnerships.

Possible Solutions
As Non-official higher education, TNE raises problems of transparency and quality control, since it remains outside the official system of the host country, and therefore **is not subject to its national mechanisms of quality assurance**. Two different situations may occur which are of relevance to quality assurance:
a) <u>Franchised institution:</u> the programmes/qualifications offered in the host country are integrated in the official system of the awarding country. In this case the awarding institution is subject to the quality assurance system in its country and the franchised/exported programmes are recognised in the original country. Although such perspective does absolutely not "solve" all problems (such as -for example- academic standards and economic independency of the branch campuses).

Anyway, the awarding institution has the main responsibility for the quality of the qualifications provided. This, by itself, constitutes a mechanism of some safeguard of standards, because the national system (Rectors' Conference, National Agency for Quality Assurance, Government) is interested in not having its image tarnished and is therefore likely to take precautionary measures; a good example of such measures are the national codes of good practice including recommendations for the home institutions specifically devised to ensure the quality of education provided and the standards of the qualifications awarded ([1]).

b "International" / "offshore" institutions: the programmes/qualifications do not belong to any official system. When this is the case, the situation escapes regulation from the supplier's side, and is more fluid and prone to create problems.

Some providers are however conscious of the image problem and seek forms of legitimation for their courses, sometimes through alliances with well-established universities.

International accreditation by private agencies in thematic areas is another possibility for buying a label of quality.

The radical approach of a tight control on the operation of TNE does not seem to be convenient, because it will probably be in conflict with EU or international laws and would only postpone the problems without solving them. A better approach may be to create mechanisms and/or incentives for the submission of transnational institutions to the quality assurance procedures that apply to official higher education in the host country.

The main points associated with consumer protection are the following ones:

- Non-official transnational higher education raises problems of control as it lies outside the national systems for public accountability. It must also be remembered that the rigour (and even existence) of quality assurance systems varies considerably between different European States. The fact that education provision is part of a national recognised framework does not necessarily guarantee its quality.
- TNE providers, in addition to not being subject to any external quality assurance regime, do not necessarily have any internal quality assurance mechanisms.
- Transnational 'degree mills' sell fraudulent qualifications to ill-informed citizens.
- The Lisbon Convention only applies to qualifications awarded by recognised education providers of signatory states; therefore it does not cover all transnational education.
- What is official education in one country is not necessarily "official" in another.
- The national legal framework for regulation often creates inflexible structures that make the regulation of non-official education problematic.

The mentioned problems might be summed up in the question **"How can existing national and international quality assurance systems and devices address the quality of programmes offered by certain TNE providers?"**

At present, the trend in most European countries is that, **instead of prohibiting TNE operations, they should be subject to some system of control.**

([1]) A few examples of national codes of good practice:
- UK: Code of Practice for Overseas Collaborative Provision in Higher Education - Higher Education Quality Council (1996); Quality Assurance Code of Practice: Collaborative Provisions - Quality Assurance Agency.
- USA: Principles of Good Practice for Educational Programs for Non-U.S. Nationals - it is shared among the regional institutional accrediting bodies of the USA.
- Australia: Code of Ethical Practice in the Offshore Provision of Education and Educational Services by Australian Higher Education Institutions - Australian Vice-Chancellors Committee.

RECOGNITION
Who is responsible for the recognition of qualifications awarded through transnational collaborative partnerships? As said before, a supranational accreditation and recognition authority is to be avoided in respect of the principles of academic autonomy.

Possible Solutions
This point relates to the transparency of certification, which can be greatly enhanced by the systematic use of the *Diploma Supplement* (DS) developed as a joint initiative of the European Commission, the Council of Europe and UNESCO/CEPES. If issuing the DS becomes a rule, it can hardly be avoided by non-official higher education institutions and the extra information provided may be of help to assess the value of the qualifications.
The basic information needed by recognition authorities in case of TNE qualifications is:
   - can the recognition/accreditation of the mother institution be transferred to the franchised institution or the branch campus ?
   - in what ways is it ensured that quality is the same as in the mother institution ?
   - are the programmes really identical to the ones in the mother institution ?
   - are the admission requirements comparable to those of the mother institution ?
   - what guarantee can be given on the quality of the teaching staff ?

TNE can be classified in 3 main groups according to the fact that the qualifications awarded may have **high or low chances to be recognised.**
1. Recognition is almost always granted:
   - Programme articulations
2. Recognition is sometimes granted:
   - Franchised institutions
   - Branch campuses
   - Off-shore institutions
   - Distance learning provisions
3. Recognition is almost never granted:
   - Non-official higher education
   - international institutions
   - corporate universities
   - virtual universities

As to **recognition legislation**, 3 main possibilities do exist:
   - No legal/normative instruments exist and no "good practice" has been developed in dealing with TNE. This situation just denies any possibility of recognition for TNE qualifications.
   - Legal/normative acts do exist but no "good practice" in their implementation has been developed. This situation creates, at least, a legal framework which is however relatively restrictive.
   - Attempts to introduce appropriate practices have been made but without any legal basis. In this case, recognition of TNE is treated case by case.

3. BAD PRACTICES IN TNE PROVISION: HOW TO DEFEND ONESELF

Most TNE problems relate to the legal status of the providing institution and the quality of the curricula. Where there is no guarantee or traditional system of reference or control, TNE is seen as problematic and therefore, suspect. Higher education experts of most European countries share the opinion that the responsibility for TNE quality assurance must be shared among several actors: the

national education authorities of the importing country, the providing institution, the education authorities of the exporting country, the national quality assurance agencies of both the exporting and importing country, and some sort of supranational authority (ENQA?). The basis for any possible further action is to concert national and international actions with the common objective of prohibiting degree mills, bogus and fraudulent TNE institutions and their awards by rendering such institutions illegal.

The main **negative aspects** of TNE are identified as follows:
-   problems associated with non-official, unregulated higher education provisions (often franchised institutions and branch campuses) which remain outside official national quality assurance regimes, and are not subject to internal or external monitoring processes;
-   consumer protection problems associated with lack of adequate information (and therefore transparency) available to potential students, employers and competent recognition authorities;
-   difficulties with 'degree mills' and bogus institutions which exploit the public;
-   TNE institutions may play an 'unfair' competitive role with respect to strictly regulated national providers, and cause a loss of income to home institutions;
-   from the provider's point of view - good quality TNE is not necessarily recognised; lack of information makes it difficult to distinguish good from bad transnational education.

4. GOOD PRACTICES: HOW TO IMPLEMENT THEM

Speaking in general terms, **benefits** are seen only in the context of some future quality control system covering all types of TNE.

First of all it is evident that the phaenomenon of TNE is expanding in most European countries; therefore it must be dealt with both at national and supranational level. In the last decade of the 20th century, a strong need arose for a comprehensive study on TNE in Europe; the study, as the Machado dos Santos suggested, *"should be developed with the support of the various national Rectors' Conferences, in close cooperation with the European Network for Quality Assurance (to solve the problem of quality control), with the NARIC/ENIC Network (to deal with the recognition of qualifications and with availability of transparent information to students and stakeholders)...".* It seemed also important to find *"ways to harmonise rules and to encourage good practices".* A questionnaire was submitted to the education authorities of all European countries.

Here below we are listing a few examples of "good practice" recommended by the respondents to the questionnaire:
-   adoption and implementation of the UNESCO/Council of Europe code of practice;
-   both signatory and non-signatory countries should apply to TNE the principles outlined in the Lisbon Convention;
-   the adoption of suitable national codes like those developed by the UK and Australia;
-   the use of the Diploma Supplement to provide 'transparency' and clear information about the status of the providing institution as well as the contents and use of its qualifications; all programmes should be expressed in terms of learning outcomes and levels of achievement as this clarifies their nature and application;
-   a more intensive use of the ENIC/NARIC networks at national level to exchange information and advice on TNE matters;
-   the increasing awareness and activities of US accreditation agencies which accredit US providers outside the USA;
-   adoption of agreed definitions and terminology, for example the Council of Europe/UNESCO definition.

5. ROLE OF THE NATIONAL QUALITY ASSURANCE AGENCIES

- Monitoring the activities of imported transnational education providers;
- Liasing with providers (and countries of origin) when problems arise;
- Reporting bogus institutions to appropriate national and international authorities;
- Seeking bilateral solutions to TNE problems;
- Providing advice and information to the public associated with imported TNE.

6. ROLE OF THE EUROPEAN HEIs

- Critical re-evaluation of the structure, organisation and delivery of their own national programmes in the light of the most innovative, high-quality TNE programmes. European education must be flexible and embrace new modes of delivery. This will improve European HEIs' competitiveness not only in relation to TNE but also in the world education context.
- Promotion of transnational education in the context of lifelong learning.
- Increasing the bridges and links between European academic and professional education and training. This is particularly important in the context of 'continuing professional development' where a global market exists. The focus for exported European education should concentrate on rapidly developing regions where the provision of education is underdeveloped.
- Adoption of internationally accepted mechanisms to promote transparency so as to facilitate the recognition of their programmes and qualifications. In particular, they should actively seek to converge their education systems following the Bologna model by structuring their programmes in ECTS credits and issueing the Diploma Supplement.

7. THE ROLE OF THE ENIC/NARIC NETWORK

The experience of the NARIC/ENIC network on the recognition of official qualifications under the Lisbon Recognition Convention is of great importance to tackle the difficult issue of the recognition of non-official qualifications. The Convention, although restricted -in a strict legal sense- to official qualifications, provides a procedural and methodological framework that can be of value also for transnational education. This is evident in the UNESCO/CEPES code of good practice on TNE. The NARICs/ENICs -both as a network and as individual national centres- should therefore be encouraged to proceed with their work on the discussion, elaboration, and dissemination of good practices.

8. THE ROLE OF THE "EUROPEAN BODIES"

An European forum should be established by the European Commission, UNESCO and the Council of Europe to:
- promote the inter-institutional exchange of information and intelligence on transnational educational policy and problems;
- formulate recommendations regarding the "internal" and "external" European dimension of transnational education;

- facilitate liaison between traditional higher education institutions, franchisers, franchisees, virtual universities, non-official transnational higher education providers, professional bodies and corporate providers;
- encourage staff workshops and seminars to promote good practices.

9. PERSPECTIVES

Transnational education is a concrete although not fully perceived reality.
Individual European countries as well as the EU as a whole should engage in the creation of a legal and cultural framework in order to control and direct the phaenomenon of TNE; this should be done in the most articulate and flexible way, drawing also from the experience of such countries as the U.S.A., the ex-Commonwealth (in particular Australia), and others alike.

HOW SHOULD TNE BE
- TNE arrangements should comply with the national legislation on higher education in both sending and receiving countries;
- academic quality and standards of TNE programmes should be at least comparable to those of the home institution as well as to those of the host country;
- TNE institutions should publish their policy and mission statements; their information should be transparent, consistent and reliable;
- staff members of TNE institutions should be proficient in terms of qualifications, teaching, research and other professional experience;

In particular, as concerns branch campuses, affiliated or franchised institutions:
- the home institution (and not the TNE unit) should be responsible for awarding the qualifications and should provide clear and transparent information through the Diploma Supplement;
- conditions for the admission of students in TNE programmes should be equivalent to those of the same or comparable programmes delivered by the awarding institution;
- the academic workload of TNE programmes should be that of comparable programmes in the awarding institution, any difference in this respect requiring a clear statement on its rationale and its consequences for the recognition of qualifications.

POSITIVE ASPECTS OF TNE
It is unquestionable that TNE:
- widens learning opportunities by providing wider choices for citizens;
- challenges traditional education systems by introducing institutional competition as well as more innovative programmes and delivery methods;
- helps to make European education more competitive;
- benefits home institutions through links with prestigious foreign institutions;
- for exporters, it is an opportunity of access to new income sources.

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