

Delivery of higher education programs through non higher education providers:

submission to the project on the further development of the national protocols for higher education approval processes conducted by Professor Gus Guthrie, Professor Sue Johnston and Professor Roger King, 3 June 2004.

This is a submission on protocol 4 of the Ministerial Council on Education, Employment, Training and Youth Affairs' national protocols for higher education approval processes on the delivery arrangements involving other organisations. Protocol 4 is set out in full below.

Part five: delivery arrangements for higher education institutions involving other organisations

Background

5.1 A number of higher education institutions have established campuses in distant locations where conventional relationships based on physical proximity are not feasible. In some cases they have established companies, entered joint ventures or contracted with other organisations to assist in the delivery of programs in locations a substantial distance from their major campuses. These delivery points may be in other countries or other States, and the organisation delivering programs may be operating under the name of the delivery agency, or the institution offering the award.

Protocol 4 - delivery arrangements involving other organisations

University operating its own name

5.2 Where an Australian university or other self accrediting institution operates in a distant location and issues an award under its own name the Council or governing body of the university or other institution is responsible for quality assurance and will be subject to audit by the AUQA. For overseas campuses the institution will be expected to maintain standards at least equivalent to those provided in Australia regardless of any specific requirements of overseas governments.

University operating through another organisation

5.3 Where a university or other self accrediting institution enters into an arrangement with another organisation, and the university or other self accrediting institution is to grant the academic award, the relationship will be construed as one of principal and agent. The principal in this relationship must carry full responsibility for all aspects of delivery, including:

- (i) quality and standards comparable to those on other campus(es) of the institution;
- (ii) teaching by staff qualified at a level comparable to those on other campuses of the institution;
- (iii) resources and facilities adequate for the delivery of the course;
- (iv) adequate measures to protect the welfare of students.

5.4 Measures taken by the institution to ensure standards comparable to those of other campuses will be subject to audit by the AUQA.

5.5 The Council or governing body of a university or other self-accrediting institution has primary responsibility for quality assurance under these arrangements, and the direct line of accountability for that council or governing body is to the Minister and Government of the State or Territory in which it is established. However, there must be some capacity for action in the case of seriously deficient quality standards and failure to take remedial action in relation to a campus in another jurisdiction. Consequently where the Minister in a State or Territory in which a campus is operating has serious concerns about quality of delivery whether resulting from reports of the AUQA or otherwise, the Minister may, following consultation with the Minister in the State or Territory where the institution is established and an independent review:

- (i) establish conditions for the continuation of activities within the State or Territory;
- (ii) require that the operations of the institution within the State or Territory occur under the academic supervision of another institution;
- (iii) close the campus and cease providing programs in that State or Territory.

5.6 Universities and other self-accrediting institutions do not have the power to accredit the courses of other institutions. Where an institution makes curriculum and materials available to another institution, and the award issued following completion of the program will be issued in the name of another institution, the other institution will be subject to the accreditation requirements of the State or Territory in which it proposes to operate as if it was operating as an independent organisation. The institution in whose name the award will be issued will have full responsibility for the academic welfare of students who are enrolled in programs leading to the award.

Possible use of unqualified staff and other breaches of standards

Griffith is concerned that appropriate standards may not be maintained by some universities which arrange for their programs to be taught by an institution other than a higher education provider. It is hard to make definite statements from external observations, but it seems clear that some universities are not complying with sub paragraph 5.3 (ii) –

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* * *

- (ii) teaching by staff qualified at a level comparable to those on other campuses of the institution;

Failure to meet this standard may cause a number of problems and even abuses as has been shown by Britain’s recent experience of universities ‘franchising’ delivery of their degrees to colleges of further education teaching.

AUQA audits

While paragraph 5.4 of the protocols provides that ‘Measures taken by the institution to ensure standards comparable to those of other campuses will be subject to audit by the AUQA’ Griffith has not seen evidence of this in the only AUQA report yet published of a university Griffith understands to be delivering higher education programs through a non higher education provider. AUQA’s report of UNE was not available at the time of making this

submission and Central Queensland University has not yet been audited. The only relevant report available is of the University of Southern Queensland. Section 2.7 of that report is headed 'Teaching via national and international partnerships' and section 2.8 on 'educational standards and national and international partnerships' reports a potential lapse in quality assurance (pages 20-1 and recommendation 11) but these sections seem to report an audit of only the university's off shore programs. Even so, the report does not contain a positive assurance that teaching staff of off shore partners are 'qualified at a level comparable to those on other campuses of the institution' and there is no explicit evidence that AUQA has audited the university's delivery through non higher education providers on shore.

Quality assurance of standards maintenance

Griffith's concern is essentially about the maintenance of standards. As AUQA's objects makes clear and as its executive director frequently reiterates, AUQA's responsibility for quality assurance is quite different from and does not extend to maintaining standards. This is a significant gap in the national protocols for higher education approval processes and in Australian higher education generally which Don Anderson and indeed the Department of Education, Science and Training have observed.

Measures

The simplest measure to address the specific issue raised in this submission would be to prohibit universities offering programs through institutions that are not accredited higher education providers, and this is the solution favoured by Griffith. Should that not be acceptable, the protocols should at least require non accredited higher education providers who are nevertheless providing higher education to obtain registration, preferably as a non self-accrediting provider pursuant to protocol 3 or as a new category of higher education agent.

In addition to modifying the national protocols Australia needs some means for ensuring that the standards established by the protocols are met. The obvious bodies for this role would be each State's office for higher education, but a good alternative would be a statutory registration board that is common in other areas. The cost of monitoring and enforcing standards should be met by subscriptions from registered providers, which again is common in other areas.