

## Regulating Transnational Higher Education in Uganda: Consumers Should Be Cautious.

By

A. B. K. Kasozi,

*Executive Director, National Council for Higher Education*

### Introduction

Currently, Ugandans are subjected to numerous sources of transnational higher education of dubious quality. These include online programmes, franchises, dubious courses given at "university study centers", correspondence courses etc. Although the National Council for Higher Education is trying its best to guide Ugandans, it lacks the funds to hire expertise to do a thorough job of identifying genuine from rogue foreign higher education providers.

Transnational higher education is that education delivered by a foreign country or its agencies into another (Jokivirta: 2005). This definition excludes delivery where students travel abroad. The often-used term "cross-border" higher education includes the movement of both students and higher education programmes.

Poor and developing countries are the major consumers of transnational higher education. Education experts in these countries have pointed out that unregulated transnational higher education:

- (i) in the majority of cases, is of low quality and would not be accredited in the source country;
- (ii) is insensitive to recipient national development priorities and social needs;
- (iii) has an adverse impact on national regulatory authorities; and

*"Poor and developing countries are the major consumers of transnational higher education."*

- (iv) subjects domestic higher education institutions to unfair competition. Many foreign providers do not invest adequately in receiving countries.

However, advocates of transnational education point out that it;

- (i) increases domestic capacity building;
- (ii) gives students broader choices of programmes to study;
- (iii) reduces resources flowing out of the country because students study at home and parents do not have to send funds abroad; and
- (iv) increases general quality of higher education by increasing competition.

### 2. UNESCO and OECD have tried to fix the problem

UNESCO (United Nations, Education, Scientific and Cultural Organisation) together with OECD (Organisation for Economic Cooperation and Development) held a number of meetings in Paris and Tokyo in 2004 to address the broader problems of cross border higher education quality. These organizations sought to develop a framework for making sure that consumers received quality higher cross-border education by:

- (i) developing an international information tool to assist consumers make informed choices;
- (ii) including in the said tool a list of most, if not all, higher education institutions recognized by relevant national competent bodies;
- (iii) hosting such a tool with UNESCO in collaboration with other competent stakeholders

### **3. There is opposition to regulating the international transnational higher education.**

However, a number of countries and agencies that stand to benefit from a chaotic international higher education landscape do not support the drafting, let alone the implementation, of such a tool. They see it as interference in the free market process. It is therefore left to each country to defend itself against the consumption of inferior higher education from abroad, often from offshore rogue institutions. The problem is critical and the public should really be careful.

Uganda can choose from a number of models and regulatory frameworks devised to address the problem. These include (Jokivirta: 2005)

#### **(i) Open Door**

A number of countries have left the doors to their borders open to the entrance of foreign higher education and left the consumer to decide. These countries include: Czech Republic, France, Malta, Mexico, Nigeria, Russia, Serbia and Sri Lanka.

#### **(ii) Liberal**

A number of countries have devised minimum regulations for entrance of cross-border higher education, for example official recognitions of programmes and institutions by the exporting country. Examples include: Argentina, Bahrain, Estonia, the Netherlands, New Zealand, Norway, Peru, Slovenia, Sweden, Switzerland and the UK.

#### **(iii) Formal Recognition**

A number of countries require that all foreign providers are registered and the conditions under which they provide higher education is spelt out. Examples include: Australia, Bangladesh, China, Egypt, Hong Kong, Israel, Jamaica, Pakistan, Singapore and Vietnam.

#### **(iv) Cautious to restrictive**

To prevent the dumping of inferior higher education, a number of

tions which operate outside the country are subject to the Higher Education Quality Committee (HEQC's) programme accreditation policies, requirements and procedures for all their local as well as cross-border academic activities. In addition to the HEQC's requirements, such institutions have to satisfy the relevant quality assurance policies and procedures of the countries in which they operate.

The HEQC will cooperate closely with national quality assurance agencies in countries where South African higher education institutions have an operational presence, in order to share relevant accreditation and audit information.

All higher education providers which are operating across borders need to ensure equivalence in the quality of provision at different sites of delivery in South Africa and abroad."