



Republic of the Philippines  
OFFICE OF THE PRESIDENT  
**COMMISSION ON HIGHER EDUCATION**

**NOTICE TO THE PUBLIC**

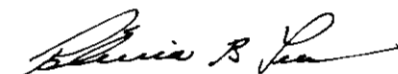
Notice is hereby given to the public that the Commission on Higher Education (CHED) will conduct Public Consultations on the proposed **Policies, Standards and Guidelines for Transnational Education** on the following dates and venues:

Zonal Consultations	Dates	Venues
<b>Luzon:</b> Regions I, II, III, IV-A, IV-B, V, CAR and NCR	June 24, 2016 9:00a.m– 4:00p.m.	<b>Metro Manila</b>
<b>Visayas:</b> Regions VI, VII and VIII and NIR  <b>Mindanao:</b> Regions IX, X, XI, XII, CARAGA and ARMM	June 15, 2016 9:00a.m– 4:00p.m.	<b>Cebu City</b>

Heads or Presidents of public and private higher education institutions (HEIs) and other stakeholders are hereby enjoined to attend the public consultations and orientations. CHEDROs are likewise directed to disseminate this information to ensure full participation of stakeholders in their respective regions.

Funds for travel and other incidental expenses of participants from the Regional Offices of CHED and those coming from other government institutions shall be charged against their respective local funds subject to the usual government accounting and auditing rules and regulations. Participants from private institutions and other stakeholders shall have to make arrangements to charge their travel expenses to their respective institutions/agencies.

Food during the public consultations and orientations shall be provided. To ascertain proper logistical preparation, only one (1) representative per institution is allowed to attend this activity. Regional Offices of CHED shall forward the actual confirmation of participants from their respective regions **not later than June 10, 2016** to: Ms. Elsa G. Florendo at Telephone Nos. (02) 441-1231 / 709-4255 or email [nhd.ched2015@gmail.com](mailto:nhd.ched2015@gmail.com).

  
**PATRICIA B. LICUANAN**  
Chairperson

# DRAFT

CHED MEMORANDUM ORDER (CMO)

No. \_\_\_\_\_

Series of 2016

## **SUBJECT: POLICIES, STANDARDS AND GUIDELINES (PSGs) FOR TRANSNATIONAL EDUCATION (TNE)**

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In accordance with the provisions of Republic Act No. 7722, also known as the Higher Education Act of 1994 and by virtue of Commission en banc (CEB) resolution No. \_\_\_\_\_” and other relevant policies and guidelines on the offering of programs and establishment of institutions in the country, the Commission hereby adopts and promulgates this set of Policies, Standards and Guidelines (PSGs) for Transnational Education (TNE)

### **ARTICLE I GENERAL PRINCIPLES AND POLICIES**

1. The Higher Education Act of 1994 created the Commission on Higher Education (CHED) and provides that the powers and functions of CHED shall include setting standards and monitoring and evaluating programs and institutions of higher learning.
2. It is the policy and intention of CHED to internationalize Philippine higher education in order to facilitate the development of a human resource base that is responsive to the changing demands of the 21<sup>st</sup> century.
3. CHED recognizes that globalization and the liberalization of trade in goods and services worldwide have facilitated the growth in higher education internationalization, including transnational education (TNE), by which is meant higher education that is delivered in a country other than the one where an awarding institution is based.
4. These phenomena, together with developments in information and communication technologies, promote access to foreign qualifications and encourage Philippine universities, colleges and training institutions to offer their programs and qualifications abroad, in partnership with counterparts overseas.
5. CHED is guided by the principles adopted by the UNESCO/Council of Europe in the 'Code of Good Practice in the Provision of Transnational Education' (2001) and the 'Revised Code of Good Practice in the Provision of Transnational Education' (2007). (See Annex 1 for the text of the Revised Code.)
6. CHED honors the Philippine commitments to bilateral, regional and multilateral trade agreements such as the General Agreement on Tariff, Trade in Services (GATTS) and the ASEAN Framework Agreement on Services (AFAS).

7. CHED recognizes Article 6(f) of the 1963 Vienna Convention on Consular Relations regarding the role of consular offices to act as notary in the authentication of relevant documents.
8. CHED promotes Open and Distance Learning (ODeL) through tertiary education as an appropriate, efficient and effective system of delivering quality higher and technical educational services in the country (RA 10650).
9. CHED encourages the utilization of quality Open Educational Resources (OER) to promote universal access and the transmission of information and knowledge.
10. It is crucial to safeguard the interests of legitimate education providers and the general public through TNE.
11. The ability of TNE arrangements and operations to provide higher education that meets human, social, economic and cultural needs depends on safeguarding the quality of Philippine higher education provision and qualifications.
12. Quality assurance, accreditation and similar activities protect the interests of stakeholders in TNE, such as:
  - a. Governments
  - b. Higher education institutions
  - c. Academic staff and students
  - d. Quality assurance and accreditation bodies
  - e. Academic recognition bodies
  - f. Professional bodies
  - g. Business and Industries
  - h. Communities of practice
  - i. Individuals working abroad (e.g. Overseas Filipino Workers, migrants, etc.)
13. The Commission hereby promulgates the Policies, Standards and Guidelines on TNE. This CMO shall describe the following:
  - a. General Objectives
  - b. Categories of TNE for the purposes of these PSGs
  - c. Scope: TNE Offshore and TNE Onshore
  - d. General Implementing Guidelines, including Quality Assurance Procedures
    - i. TNE Onshore conducted by Foreign Higher Education Providers (FHEPs)
    - ii. TNE Offshore conducted by Philippine Higher Education Institutions (PHEIs)
  - e. Implementing Guidelines, including Quality Assurance Procedures (Internal Quality System framework)
  - f. Registration Guidelines and Procedures
  - g. Announcements on TNE
  - h. Revocation of Authority to Operate TNE

## ARTICLE II DEFINITION OF TERMS

1. **Accreditation** refers to the recognition given by national, regional or international accrediting agencies to educational programs or institutions based on acceptable levels of quality and performance.
2. **Agents** refer to third parties, such as brokers or facilitators, who act as intermediaries between awarding and providing institutions for establishing TNE arrangements. Some agents are involved in the provision of educational services.
3. **Auxiliary services** refer to services that maybe provided by agency or learning center to support the delivery of educational services such as promotion, recruitment of students, testing, admission, and registration, processing of payments, student orientation, providing access to communication technologies, proctoring examinations, and such other related activities but not to include teaching and learning activities.
4. **Blended learning** is a mode of educational delivery that combines distance education, including online, with traditional classroom-based education.
5. **Branch** is an educational facility in a form of learning/tutorial/information centers apart from the main or home campus, established by an existing HEI. A local branch refers to a branch of FHEP in the Philippines and a foreign branch refers to a branch of a Philippine HEI abroad. See also international branch campuses in Article IV of this CMO.
6. **Distance Education** is a mode of educational delivery whereby teacher and learner are geographically separated and instruction is delivered through materials and methods using communication technologies, and supported by organizational and administrative structures and arrangements. The delivery medium is typically online but can be by print-based modules or by mobile phone.
7. **Foreign Higher Education Provider (FHEP)** refers to a foreign-owned and duly recognized higher education institution following a prescribed system of education registered in a country other than the Philippines.
8. **Franchisee** refers to an education provider registered and accredited with the Securities and Exchange Commission in the Philippines, and authorized to deliver educational programs or materials.
9. **Franchiser** refers to a higher education provider that enters into a contractual relationship with an entity (franchisee) operating under the franchiser's trade name and usually with franchiser's guidance in exchange for a fee.
10. **GATS Modes of Supply** are the four modes of trading services defined in the General Agreement on Trade in Services (GATS) upon the creation of the World Trade Organization (WTO) in 1994. The four modes are:
  - a. (Mode 1) Cross-border supply: from the territory of one WTO member to the territory of another (e.g. e-learning program of a foreign university accessed by a Filipino student via the internet).

- b. (Mode 2) Consumption abroad: in the territory of one member to the service consumer of any other member (e.g. a foreign student enrolled in a Philippine university).
- c. (Mode 3) Commercial presence: by a service supplier of one member through commercial presence in the territory of any other member (e.g. a foreign university setting up operations in the Philippines).
- d. (Mode 4) Presence of natural persons: by a service supplier of one member through presence of natural persons in the territory of any other member (e.g. a Filipino visiting professor at a foreign university). A natural person is a human being as distinct from legal persons such as companies or organizations.

**11. Open and Distance Learning (ODL)** refers to the merger of two (2) concepts, that of open learning and distance education. It is a system which combines the methodology of distance education to the philosophy of open and flexible learning.

**Open Learning** refers to a philosophy of learning that is based on access flexibility for equity in education, and educational system accessible to every individual with minimal restrictions and emphasizing the flexibility of the system to eradicate problems caused by barriers like age, geographical location, physical and time constraints, and economic situation.

- 12. Open Educational Resources (OER)** are any type of educational materials that are in the public domain or introduced with an open license. The nature of these open materials means that anyone can legally and freely copy, use, adapt and re-share them. OERs include textbooks, curricula, lecture notes, assignments, tests, projects, audio, video and animation.
- 13. TNE (Transnational Education)** is higher education delivered in a country other than the one where an awarding institution is based. Categories of TNE are outlined in Article IV of this CMO.

### **ARTICLE III GENERAL OBJECTIVES**

This CMO is intended to:

1. Articulate a regulatory framework for TNE
2. Promote greater access to quality higher education through TNE
3. Promote good practice in Philippine TNE
4. Safeguard the interests of students in TNE programs offered by PHEIs and FHEPs
5. Facilitate the smooth operation of higher education programs offered via TNE by articulating and disseminating clear procedures for approval, monitoring and evaluation; and
6. Ensure that TNE programs are attuned with the domestic and international legal and regulatory frameworks.

## ARTICLE IV CATEGORIES OF TRANSNATIONAL EDUCATION PROGRAMS

For purposes of this PSG, the term TNE refers to the following TNE delivery modes:

1. **Academic Franchising.** This is 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, regardless of the students' provenance (from the first, the second or any other country).
2. **Articulation.** Students studying for a sub-degree qualification in one country are guaranteed advanced entry into a degree programme in another country if they achieve an agreed level of performance in their studies.
3. **Branch Campus.** This refers to a campus of a higher education institution from one country established in another country (host country) to offer its own educational programmes/qualifications, regardless of the students' origin or location.
4. **International branch campuses.** This refers to higher education institutions that are located in another country from the institution which either originated it or operates it, with some physical presence in the host country, and which awards at least one degree in the host country that is accredited in the country of the originating institution. International branch campuses typically have local partner institutions. In the case of inbound TNE to the Philippines by a foreign provider, a local Philippine partner institution is required by law.
5. **International extension program.** Typically, 'flying faculty' deliver the awarding institution's courses at an institution in another country.
6. **Joint and double degrees.** Joint degrees typically refer to a partnership provision which leads to a single degree awarded by two or more institutions. The provision is jointly developed, jointly delivered and jointly assessed. Double degrees refer to a partnership provision which leads to two degrees awarded by two institutions. Joint and double degree models overlap with twinning arrangements, though do not necessarily involve student mobility from one country to another.
7. **Online, blended and distance learning.** Refers here to provision which is delivered across an international border. The delivery medium is typically online but distance education can be otherwise, for example, by post or mobile phone. The online component of the provision can range from zero to 100%. Provision which is partly online and partly face-to-face is blended.

8. **TNE Offshore Institution.** This is an autonomous institution established in a host country, which in terms of its organization and educational contents, belongs to the education system of another country.
9. **Twinning arrangements.** Students study for a degree in two countries, starting in their own and finishing in another, which typically is the country of a partner institution.
10. **Validation.** Typically, institution A agrees to award its own degree to students who complete a program from institution B in another country.

## **ARTICLE V SCOPE AND COVERAGE**

This CMO applies to all degree-granting public and private higher institutions, both local and foreign. It covers both TNE inbound and outbound including third parties such as, brokers, agents and recruiters. Inbound TNE refers to FHEPs operating in the Philippines and outbound TNE refers to PHEIs operating outside of the Philippines.

## **ARTICLE VI IMPLEMENTING GUIDELINES AND PROCEDURES**

These general guidelines apply to all institutions operating TNE programs in or from the Philippines.

### **I. Eligibility for Foreign Higher Education Providers (FHEPs) which will offer Inbound TNE**

FHEPs must have:

1. Accreditation or certification by respective embassies as quality higher education providers;
2. Legal standing in its country of origin and/or other countries in which it conducts business as well as the recognition of its qualifications including those delivered through TNE;
3. Academic reputation in academic communities;
4. Qualifications and/or experience of academic staff in regard to teaching and research, when tutoring/academic support is provided by the offshore partner;
5. Quality and accessibility of student learning support services such as ICT infrastructure and facilities, library, computing services, bandwidth availability, meeting rooms, virtual learning environment, and learning management system;
6. Quality teaching and learning resources such as open educational resources (OERs);

7. Institutional and national quality assurance procedures for TNE including published standards and reports; and
8. Appropriate student support services, including when international students are to spend a period of time in the Philippines as part of course or program requirements, information on legal requirements and accommodation arrangements, subject to the Bureau of Immigration requirements for international students. (EO 285)

## **II. Eligibility for Philippine Higher Education Institutions (PHEIs) which will offer Outbound TNE**

PHEIs must have:

1. Level III accreditation for the program granted by CHED recognized accrediting bodies or CHED 'Center of Excellence' or 'Center of Development' status for the program or Program accreditation from an international audit body or agency.
2. Student learning support services equivalent to those within the Philippine HEI to ensure comparability of experience and equity in achieving standards for the Philippine awards.
3. Qualifications and/or experience of academic staff as regards teaching and research, when tutoring/academic support.
4. Quality and accessibility of student learning support services such as ICT infrastructure and facilities, library, computing services, bandwidth availability, meeting rooms, virtual learning environment, and learning management system;
5. Quality teaching and learning resources such as open educational resources (OERs);
6. Institutional and national quality assurance procedures for TNE including published standards and reports.

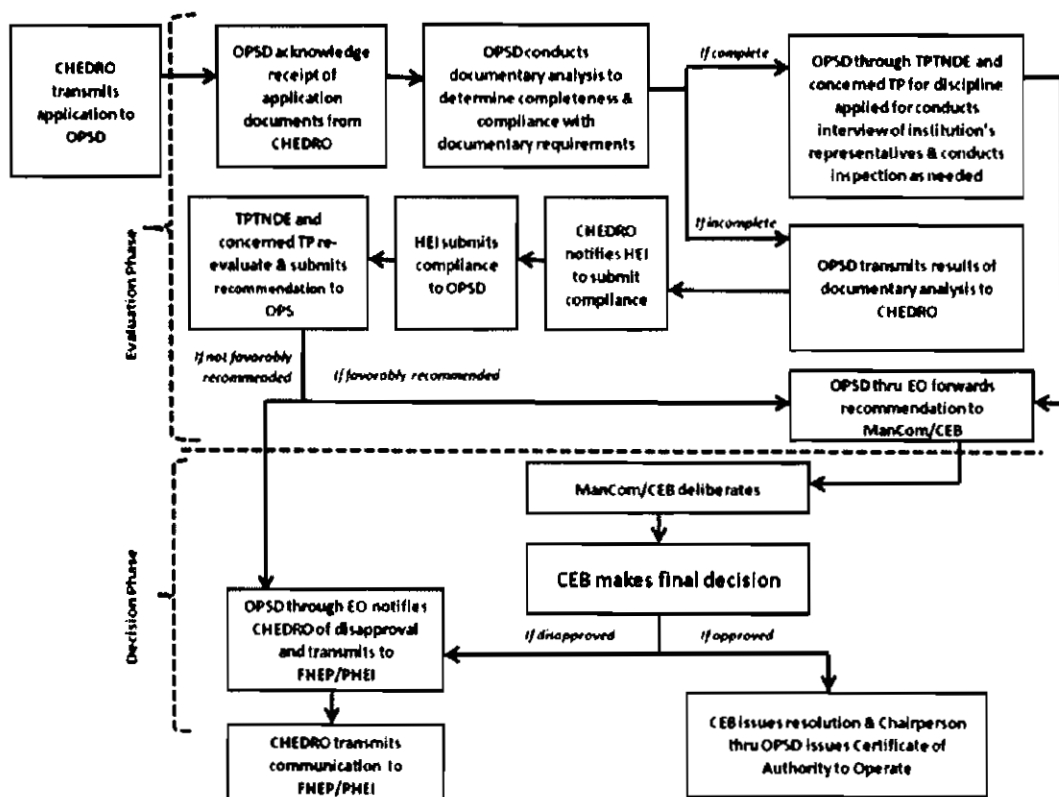
## **III. REGISTRATION GUIDELINES AND PROCEDURES**

1. **Authority to Operate.** The issuance of an authority to operate a specific educational and/or auxiliary service shall be governed by the following general procedures:
  - a. Authority to Operate: shall be issued based on the recommendation of the concerned CHED Technical Panels involved in the specific disciplines.
  - b. Validation of Authority: TNE providers shall be assessed by the CHED Central Office through the concerned Technical Panels during the second (2<sup>nd</sup>) year of implementation for undergraduate provision and first (1<sup>st</sup>) year for graduate provision. If found to be fully compliant with the provisions of this CMO, providers will be re-certified. An annual status report shall be required to be submitted to CHED OPSD.



2. **Filing an Application.** The FHEP and its Philippine-based agent, franchiser or partner will together file an application for authority to operate an educational and/or auxiliary service at CHED's Office of Programs and Standards through the appropriate CHED Regional Office.
3. **Documentary Requirements.** The application shall demonstrate an FHEP's status as a quality higher educational service provider through the following documentation:
  - a. A description of the nature of the educational and/or auxiliary services to be provided, following the provisions of Article VI above;
  - b. A copy of any Memorandum of Agreement entered into by the partners;
  - c. A copy of a due diligence report which includes information on the profile of the partner(s). See Article VI under 'Eligibility';
  - d. Completed TNE Forms 1 to 4 (Annex 2);
  - e. For institutions engaged in face-to-face or conventional delivery of educational services, a proof of compliance with CHED discipline-specific requirements for facilities in delivering classroom-based instruction.
4. Documents executed or issued outside the Philippines must be first authenticated at the relevant Philippine embassy or consulate prior to submission to CHED. FHEPs and CHED shall be guided by the existing regulations of the Department of Foreign Affairs on 1) authentication and 2) the jurisdiction of the Philippine diplomatic post.
5. No Special Order (SO) shall be issued by CHED Regional or Central Offices if the degree is solely granted by the FHEP.
6. **Processing of Applications for Government Authority**
  - a. The procedures for processing applications for government authority are presented in the following flowchart:

**PROCESSING AUTHORITY TO OPERATE TRANSNATIONAL EDUCATION**



- b. The Commission shall communicate online to the public the issuance of government authority to operate a transnational educational and/or auxiliary service. The Commission shall inform the public of the legal status of institutions and all applications regarding TNE operations.

#### **7. Duration of Validity of Authority**

- a. The authority of the institution shall be valid for an initial period of two (2) years for undergraduate programs and one (1) for graduate programs. Authorized HEIs shall be monitored and assessed by the CHED Central Office during the second year of implementation; if found to be fully compliant with the full provisions of this CMO, government authority shall be re-issued.
- b. **Validation of Authority:** TNE providers shall be assessed by the CHED Central Office through the concerned Technical Panels during the second (2<sup>nd</sup>) year of implementation for undergraduate provision and first (1<sup>st</sup>) year for graduate provision. If found to be fully compliant with the provisions of this CMO, providers will be re-certified upon submission of an annual status report.

### **ARTICLE VII ANNOUNCEMENTS ON TRANSNATIONAL EDUCATION**

1. Announcements referring to educational and/or auxiliary services being offered shall be done only after the service provider has obtained the required authority to operate from CHED. It is unlawful for any TNE provider to advertise or cause the publication of any advertisement or announcement before an authority to operate is granted.
2. Announcements shall contain accurate, clear, transparent, and truthful information for all stakeholders.

### **ARTICLE VIII REVOCATION OF EXISTING AUTHORITY TO OPERATE TNE**

1. The revocation of authority to operate TNE may be ordered by CHED for valid cause pursuant to existing laws, rules, policies, and regulation and after due process. The institution shall be notified in writing by CHED.

## **ARTICLE IX SANCTIONS**

1. TNE service providers found guilty of violating the provisions of this CMO and other pertinent rules and regulations implementing the same shall, after due process, be subject to appropriate administrative and legal proceedings by the Commission, including the imposition of sanctions to include: the withdrawal or revocation of authority to operate an educational and/or auxiliary service; phase-out or program termination; recommendation for the withdrawal of accreditation; and closure of any entity operating an educational and/or auxiliary service.
2. In addition, appropriate civil and/or criminal actions shall be instituted against the erring entity and/or the officials of the institution/provider pursuant to applicable laws, rules and regulations.
3. CHED shall enlist the assistance of the National Bureau of Investigation (NBI), Office of the Solicitor General (OSG), Department of Justice (DOJ), Philippine National Police (PNP), Bureau of Immigration and Deportation (BID), Department of Foreign Affairs (DFA), Securities and Exchange Commission (SEC) and other law enforcement bodies to enforce this CMO.

## **ARTICLE X TRANSITORY PROVISIONS**

An existing TNE service provider shall comply with the provision of this CMO within three (3) years from the approval of this policy. A new TNE provider shall be in compliance with its provisions upon application for authority.

## **ARTICLE XI SEPARABILITY CLAUSE**

1. If any part or provision of this CMO shall be held invalid, other provisions hereof which are not affected shall continue to be in force and in effect.
2. Any and all CHED issuances which are contrary to, or inconsistent with, any of the provisions herein are hereby deemed repealed.
3. This CMO supersedes:
  - a. CMO No. 6, s. 2003, entitled "*Policies and Guidelines on Transnational Education*"; and
  - b. CMO No. 2, s. 2008, entitled "*Policies and Guidelines on Transnational Education*".

**ARTICLE XII  
APPROVAL AND EFFECTIVITY**

1. This CMO shall take effect immediately upon approval by the Commission and fifteen (15) days after its publication in the Official Gazette.
2. This CMO shall be registered with the Office of the National Administrative Register at the University of the Philippines Law Center, UP Diliman, Quezon City.

Signed this \_\_\_\_ day of \_\_\_\_\_ 2016 in Quezon City, Philippines.

FOR THE COMMISSION:

**PATRICIA B. LICUANAN, Ph.D.**  
Chairperson

**REVISED CODE OF GOOD PRACTICE  
IN THE PROVISION OF TRANSNATIONAL EDUCATION (2007)**

**PREAMBLE**

The Parties to the **Council of Europe/UNESCO Convention on the Recognition of Qualifications concerning Higher Education in the European Region (the Council of Europe/UNESCO Lisbon Recognition Convention)**,

**Conscious** of the rapid development of transnational education, characterised by those arrangements and partnerships between institutions and organisations in which the students are located in a different country to the one where the institution providing the education is based, and of its impact on higher education globally, but also specifically in the Europe Region;

**Conscious** of opportunities presented by the presence of lawful and recognized transnational education, but also noting the challenges posed by transnational education institutions and programmes operating outside of the framework of any national education system;

**Being aware** of the fact that transnational higher education is rapidly expanding, partly due to the growing and seemingly limitless uses of the new information technologies in providing educational services in a world of borderless higher education;

**Convinced** that national systems of higher education are, and will continue to be, entrusted *inter alia* to preserve the cultural, social, philosophical, and religious diversity of the European Region while also being expected to promote various forms of international and global co-operation;

**Attaching** great importance to the quality of study programmes and degrees awarded by higher education institutions engaged in transnational education;

**Considering** that, regardless of the procedures adopted for establishing and providing educational services, higher education institutions should comply with those standards of performance in teaching and learning that are required by the present and future development of knowledge, technology and the labour market;

**Acknowledging** that facilitating the recognition of qualifications awarded through transnational arrangements will contribute to promoting both the mobility of students and that of study programmes between higher education institutions and systems;

**Having regard** to the Council of Europe/UNESCO Recognition Convention that provides an overall normative framework for dealing with academic recognition matters;

**Considering** the developments resulting from the objectives and principles of the Bologna Process and their implications for wider academic cooperation in the European Region;

**Having regard** to the Codes of good practice and Statements developed and monitored by authorities within some of the sending systems, such as:

- **Universities and their Students: Principles for the Provision of Education by Australian Universities. RE: Provision of Education to International Students. Code of Practice and Guidelines for Australian Universities**, Australian Vice- Chancellors Committee (AVCC), (2005);
- **Principles for United States Accreditors Working Internationally: Accreditation of Non-United States Institutions and Programs**. Council for Higher Education Accreditation (CHEA), U.S.A. (2001);
- **Sharing Quality Higher Education Across Borders: A Statement on Behalf of Higher Education Institutions Worldwide**, Council for Higher Education Accreditation (CHEA), International Association of Universities (IAU), Association of Universities and Colleges of Canada (AUCC) (2005);
- **Code of Practice for the Assurance of Academic Quality and Standards in Higher Education. RE: Collaborative provision and flexible and distributed learning (including e-learning)**, The Quality Assurance Agency for Higher Education (QAA), UK, (2004).

**Having regard** also to the **Guidelines for Quality Provision in Cross-border Higher Education**, jointly elaborated by UNESCO and OECD (2005);

**Mindful** that codes and statements developed to provide working frameworks for transnational education on a Regional basis need to incorporate the perspectives of the receiving institutions/systems as well as those of the sending institutions/systems;

**Having regard** also to the Diploma Supplement developed jointly by the European Commission, the Council of Europe and UNESCO and aiming to provide supplementary information facilitating the assessment and recognition of qualifications;

**Confident** that ethical principles and values should closely guide the international and global cooperation between higher education systems and institutions;

**Conscious** of the need to find commonly agreed solutions to practical recognition problems in the European Region, and between the States of this Region, and those of other regions of the world, in an ever more global space of higher education;

**Conscious** of the need to permanently update the implementation mechanisms of the principles and provisions of the **Council of Europe/UNESCO Recognition Convention**, thus keeping up with the pace of new developments in higher education cooperation;

**Have agreed** on the need for:

- **A Code of Good Practice** in the provision of higher education study programmes and other educational services by means of transnational arrangements;
- **Recommendation on procedures and criteria for the assessment of foreign qualifications**, with a view to implementing the Code of Good Practice and to facilitating the recognition of qualifications awarded following completion of transnational study programmes/courses of study;
- and for these to be considered as fully complementary and mutually supportive documents.

## **Section I. Terminology**

Terms defined in the **Council of Europe/UNESCO Recognition Convention** are not mentioned here again and shall, for the purposes of this Code of Good Practice, have the same meaning as in the Convention. The following terms, listed in alphabetical order, shall have the following meaning:

### **Agents**

Third parties, such as brokers, facilitators, or recruiters, that act as intermediaries between awarding and providing institutions for establishing transnational educational arrangements. An agent is not usually involved in the provision of educational services.

### **Agreement**

A document agreed formally by the partners that contains all collaborative arrangements made between the awarding and providing institutions.

### **Awarding institution**

A higher education institution issuing degrees, diplomas, certificates or other qualifications.

**Educational services**

Any study programme, course of study or parts of a course of study that leads, after successful completion, to credits or a qualification. This also includes services such as preparatory/introductory modules to facilitate access to a course of study, or training modules that lead to professional development.

**Partners**

The awarding and providing institutions involved in collaborative transnational arrangements.

**Providing institution**

An institution or organization which is delivering all or part of a study programme.

**Transnational arrangements**

An educational, legal, financial or other arrangement leading to the establishment of (a) **collaborative arrangements**, whereby study programmes, or parts of a course of study, or other educational services of the awarding institution are delivered or provided by another partner institution; (b) **non-collaborative arrangements**, whereby study programmes, or parts of a course of study, or other educational services are delivered or provided directly by an awarding institution.

**Transnational education**

All types and modes of delivery 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. Such programmes may belong to the education system of a State different from the State in which it operates, or may operate independently of any national education system.

**Section II. Principles**

1. **Transnational arrangements** should be so elaborated, enforced and monitored as to widen the access to higher education studies, fully respond to the learners' educational demands, contribute to their cognitive, cultural, social, personal and professional development, and comply with the national legislation regarding higher education in both receiving and sending countries. In the case of collaborative arrangements there should be written and legally binding agreements or contracts setting out the rights and obligations of all partners.
2. **Academic quality and standards** of transnational education programmes should be comparable to those of the parent awarding institution(s), if any, and respect the criteria and provision for quality assurance and/or accreditation systems of the home country as well as be recognized in an appropriate way by the receiving country whether as legitimate foreign



education or part of the host education system. Awarding institutions as well as the providing institutions are accountable and fully responsible for quality assurance and control. Procedures and decisions concerning the quality of educational services provided by transnational arrangements should be based on specific criteria, which are transparent, systematic and open to scrutiny.

3. **The policy and the mission statement** of institutions established through transnational arrangements, their management structures and educational facilities, as well as **the goals, objectives and contents** of specific programmes, sets of courses of study, and other educational services, should be published, and made available upon request to the authorities and beneficiaries from both the sending and receiving countries.
4. **Information** given by the awarding institution, providing organization, or agent to prospective students and to those registered on a study programme established through transnational arrangements should be appropriate, accurate, consistent and reliable. The information should include directions to students about the appropriate channels for particular concerns, complaints and appeals. Where a programme is delivered through a collaborative arrangement, the nature of that arrangement and the responsibilities of the parties should be clearly outlined. The awarding institution is responsible for and should control and monitor information made public by agents operating on its behalf, including claims about the nature of the collaboration with its agents/partners, recognition of the qualifications in the sending country and, where appropriate, their location in relevant qualifications frameworks.
5. **Staff members** of the institutions or those teaching on the programmes established through transnational arrangements should be proficient in terms of qualifications, teaching, research and other professional experience. The awarding institution should ensure that it has in place effective measures to review the proficiency of staff delivering programmes that lead to its qualifications.
6. Transnational education arrangements should encourage the awareness and knowledge of the **culture and customs** of both the awarding institutions and receiving country among the students and staff.
7. The awarding institution should be responsible for the **agents** it, or its partner institutions, appoint to act on its behalf. Institutions using agents should conclude written and legally binding agreements or contracts with these, clearly stipulating their roles, responsibilities, delegated powers of action as well as monitoring, arbitration and termination provisions. These agreements or contracts should further be established with a view to avoiding conflicts of interests as well as protecting the rights of students with regard to their studies.

8. **Awarding institutions** should be responsible for issuing the qualifications resulting from their transnational study programmes. They should provide clear and transparent information on the qualifications, through the use of the Diploma Supplement, facilitating the assessment of the qualifications by competent recognition bodies, the higher education institutions, employers and others.
9. **The admission** of students for a programme or a course of study, **the teaching/learning activities, the examination and assessment requirements** for educational services provided under transnational arrangements should be comparable to those specific programmes delivered by the awarding institution.
10. **The academic workload** in transnational study programmes, expressed in credits, units, duration of studies or otherwise, 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.
11. **Qualifications** issued through transnational educational programmes, complying with the provisions of the present Code, should be assessed in accordance with the stipulations of the **Council of Europe/UNESCO Recognition Convention** and its subsidiary texts.

**Explanatory Memorandum  
THE UNESCO/COUNCIL OF EUROPE  
CODE OF GOOD PRACTICE  
IN THE PROVISION OF TRANSNATIONAL EDUCATION**

*STATUS OF THE DOCUMENT: The Code was adopted in the third meeting of the Working Group on Transnational Education held in Jerusalem in November 1999. It was submitted to the ENIC Network in its 7th Annual Meeting, in 2000, for approval. The ENIC Network approved the Code and decided to forward it to the Intergovernmental Committee of the Council of Europe/UNESCO Recognition Convention for adoption. The Committee adopted it at its Second session (Riga, 2001).*

*The revised version of the Code was approved by the ENIC Network at the 12th Annual Meeting in 2005 and adopted by the Intergovernmental Committee of the Council of Europe/UNESCO Recognition Convention at its 4th Session (Bucharest, 2007), as a subsidiary text to the Council of Europe/UNESCO Recognition Convention.*

## **1. Introduction**

The Code is designed to present the perspectives of both sending and receiving countries regarding the provision of transnational education. Its contents are to be seen as complementary to the **Council of Europe/UNESCO Recognition Convention** thus providing a normative framework to be taken as reference by the national recognition bodies in their specific undertakings.

## **2. The objectives of the Code**

In order to promote good practice in the area of transnational education - with particular reference to the quality of the provision of study programmes and the standards of qualifications issued by the Parties to the **Council of Europe/UNESCO Recognition Convention**, the Code is intended:

- to meet the expectations of both the sending **and** the receiving countries with regard to *transnational arrangements* in higher education;
- to provide a source of reference on issues relating to the quality assurance and evaluation of programmes provided and qualifications issued through transnational arrangements;
- to safeguard the interest of students, employers and others who may be concerned with qualifications awarded through transnational arrangements;
- to facilitate the recognition of qualifications awarded through transnational arrangements in higher education.

### 3. Implementation of the Code

The **Code** includes a set of *principles* which should be respected by institutions or organizations involved in the provision of educational services through transnational arrangements. These principles are presented in the form of statements with a normative value. For implementing the provisions of the **Code**, mainly with regard to the recognition of qualifications issued through transnational arrangements, the ENIC network shall apply the procedures outlined in the **Recommendation on procedures and criteria for the assessment of foreign qualifications**. Therefore, the **Code** and the **Recommendation** are fully complementary and mutually supportive documents.

Following the mutual recognition principles inherent in the Council of Europe/UNESCO Recognition Convention, timely and favourable consideration should be given to requests for the recognition of transnational education qualifications awarded by those providers demonstrating adherence to the principles and criteria stated in the Code of Good Practice, on a case-by-case basis, unless there are legitimate grounds for denying recognition due to other factors.

### 4. The Scope of the Code

The Code refers particularly to those transnational arrangements which lead to the provision of study programmes and to the issuing of qualifications. Consequently, reference is made to:

- a) **institutions and programmes** involved in concluding any type of transnational arrangement whereby an institution provides educational services outside its country of origin;
- b) **teaching staff**, regardless of their country of origin, who work in an institution/study programme established through a transnational arrangement;
- c) **students**, regardless of their country of origin, who are registered for a course of study or parts of it leading either wholly or in part to a higher education qualification, in an institution/programme established through a transnational arrangement;
- d) **agents**, that are third parties, acting as brokers, facilitators or recruiters in transnational arrangements;
- e) **other stakeholders**, like employers and the public at large, interested in the quality of higher education qualifications.

Republic of the Philippines  
Office of the President  
COMMISSION ON HIGHER EDUCATION

**TRANSNATIONAL EDUCATION (TNE) SERVICE PROVIDER(S)' PROFILE**

**1. Profile of Philippine-based Service Provider\***

Name of Service Provider

Address:

Street

Municipality

Province/City

Postal code or Zip Code

Telephone No. (include area code)

Fax. No. (include area code)

Email Address

Website

Year Established

Latest SEC Registration/ Enabling  
Law/Charter

Name of Head/President/CEO

## 2. Profile of Foreign Partner(s)

Name of Service Provider

Address:

Street

Municipality

Province/City

Postal code or Zip Code

Telephone No. (include area code)

Fax. No. (include area code)

Email Address

Website

Year Established

Latest SEC Registration/ Enabling  
Law/Charter

Name of Head/President/CEO

## 3. Existing TNE Arrangements

<b>Delivery System or mode</b>	<b>Level of Collaboration between local and foreign partners</b>	<b>Institution awarding credit degree</b>	<b>Courses/Programs offered and/ or Certificate/Diploma Issued</b>	<b>Date of Effectively</b>
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#### 4. Proposed TNE Arrangements

Delivery System or mode	Level of Collaboration between local and foreign partners	Institution awarding credit degree	Courses/Programs offered and/ or Certificate/Diploma Issued

#### 5. Specific services to be undertaken

A.

Educational Services	Check that all apply	Description
Curriculum planning		
Curriculum development		
Syllabi development		
Instructional materials design and development		
Mentoring, lecturing, tutoring, facilitating discussion, academic counseling		
Developing Assessment methods/instruments		
Student Evaluation		
Course/Program evaluation		
Other Services		

**B.**

<b>Auxiliary Services</b>	<b>Check that all apply</b>	<b>Description</b>
Promotional Activities		
Recruitment		
Testing		
Admission		
Registration		
Processing of Payments		
Student Orientation		
Providing access to communication technologies		
Proctoring examinations		
Other services		



**DESCRIPTION OF TECHNOLOGIES USED FOR NETWORKING AND COMMUNICATION**

**1. Hardware Complement**

Equipment	Number of Units (in country)	Number of Units (offshore)
Telephones		
Facsimile Machines		
Teleconferencing Equipment's		
Video Conference equipment		
Multi-Media Equipment		
Functional Computer Units		
-for staff use		
- for students' use		
Others (Specify)		

**2. Software Complement**

Type	Description	Utilization
Online learning management system or other online learning softwares		
Course authoring software		
Databases		
Others (Specify)		

### 3. Connectivity

Equipment	Description/specifications	Location
Internet connection		
Others (Specify)		

### 4. Network Diagram

Network Diagram (LAN,WAN)