

**Engaging with Cross-Border  
Higher Education in India,  
while Sustaining the  
Best Tradition of Indian Values**

**Values and Ethics:  
Managing Challenges and Realities in Higher  
Education  
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Solomon Arulraj David – KULeuven - Belgium

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Bikas Sanyal – IIEP – Paris - France

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Danny Wildemeersch – KULeuven - Belgium

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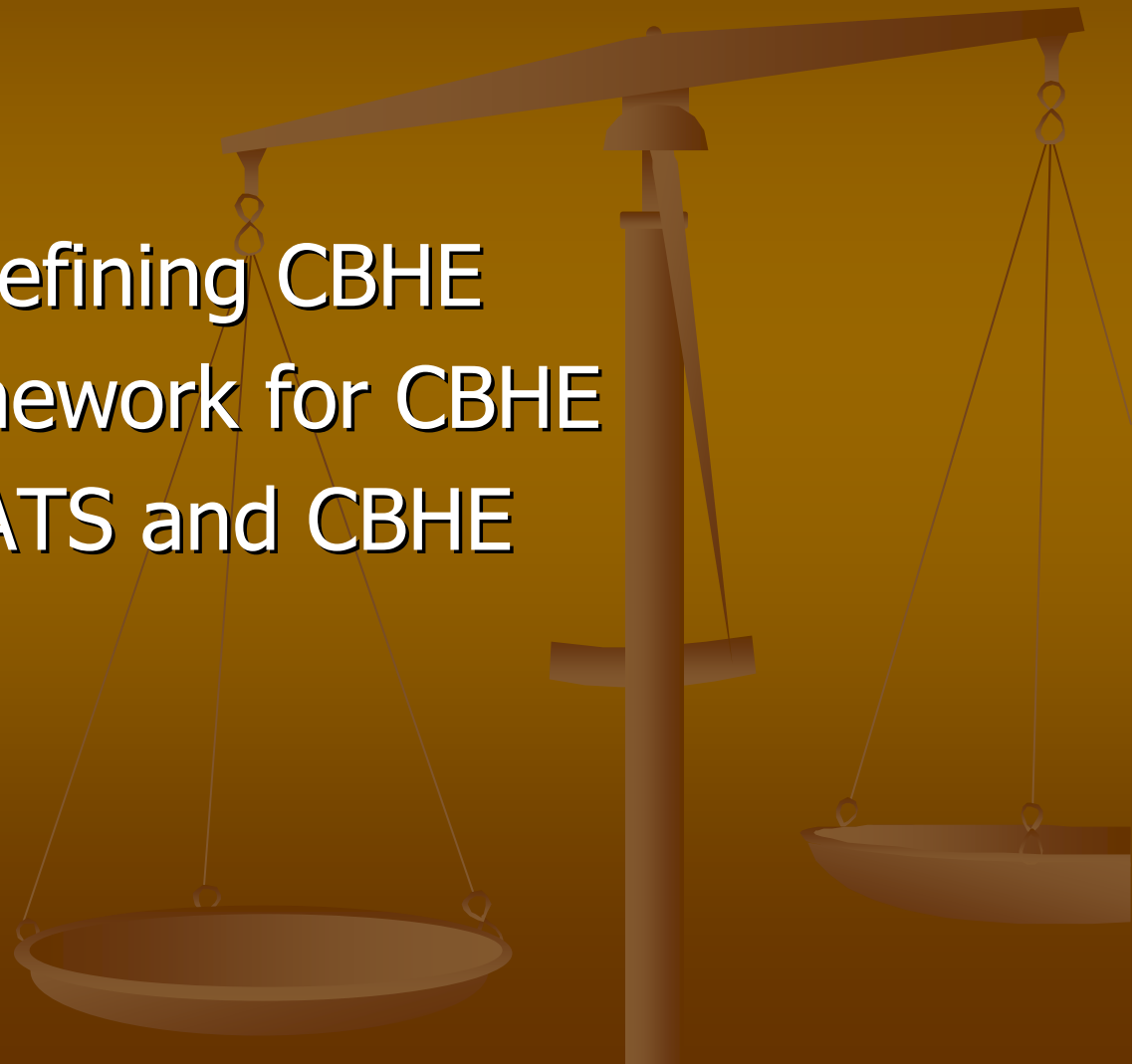


# Problem Statement

- Cross-border higher education (CBHE) – an irresistible phenomenon in present age.
- Three driving forces: globalisation, universalisation of neo-liberal principles, establishment of GATS.
- Three views – for, against and 3<sup>rd</sup> way - realistic
- India and China are the two big targets for CBHE – huge population and less HE access.
- The greatest concern with CBHE is the buying and selling of foreign degrees without much engagement in teaching and learning practices

# Conceptual Framework

- Defining CBHE
- Framework for CBHE
- GATS and CBHE



# Defining CBHE

- CBHE includes HE that takes place in situations where the teacher, student, programme, institution/provider or course materials cross national jurisdictional borders. CBHE may include HE by public/private and not-for-profit/for-profit providers. It encompasses a wide range of modalities, in a continuum from face-to-face (taking various forms such as students traveling abroad and campuses abroad) to distance learning (using a range of technologies like e-learning) (OECD/ UNESCO, 2005).

# Framework for CBHE

Category	Modes	Conditions of Cross-border Activity		
	Example	Development cooperation	Exchanges / Linkages	Commercial / For-profit
<b>People</b> Students Professors Researchers Experts consultants	Semester/year abroad Full degrees Field research work Internships Sabbaticals Consulting	→	→	→
<b>Programs</b>	Twinning Franchised Articulated/ Validated Joint/Double Award Online/Distance			
<b>Providers</b> Institutions organization and companies	Branch Campus Virtual University Merger/Acquisition Independent Insti.,			
<b>Projects</b>	Research Curriculum & Capacity Building Educational services			
<b>Source: Jane Knight (2005)</b>	<b>Knight (2005)</b>			

# GATS and CBHE

- Trade in education across borders are described in the four modes of supply that are referred to in GATS.
- 1. 'Cross-border supply' – where the service and not the individual cross a border (for example, distance education)
- 2. 'Cross-border consumption' – for example, students studying abroad
- 3. 'Commercial presence' – where a service supplier establishes a physical presence in a second country to provide services (for example, franchise, twinning or branch campus arrangements)
- 4. 'Presence of natural persons' – where an individual from one member country supplies a service in another member country (for example, faculty exchange, or some aspect of twinning/franchise courses) (Middlehurst R & Woodfield S, 2004). & (Rupa Chanda, 2004)

# Opportunities

- The opportunities are increased supply of higher education, greater access for students, support for the knowledge economy, development of joint degrees, fusion or hybridisation of cultures, growing comparability of qualifications, increasing role for the market-based approach, economic benefits for education providers, and diversification and generation of new academic environments. (UNESCO, 2004)



# Challenges

- The challenges are concern about quality of provision, inequality of access leading to a two-tier system, the growing problem of physical and virtual brain drain on the developed country-developing country axis but also on other routes, homogenisation of culture, weakening role of the state in establishing national policy objectives, growth in market-oriented programmes such as business and information technology, and decline in some liberal arts and pure science disciplines. (UNESCO, 2004)

# Advantages and Disadvantages



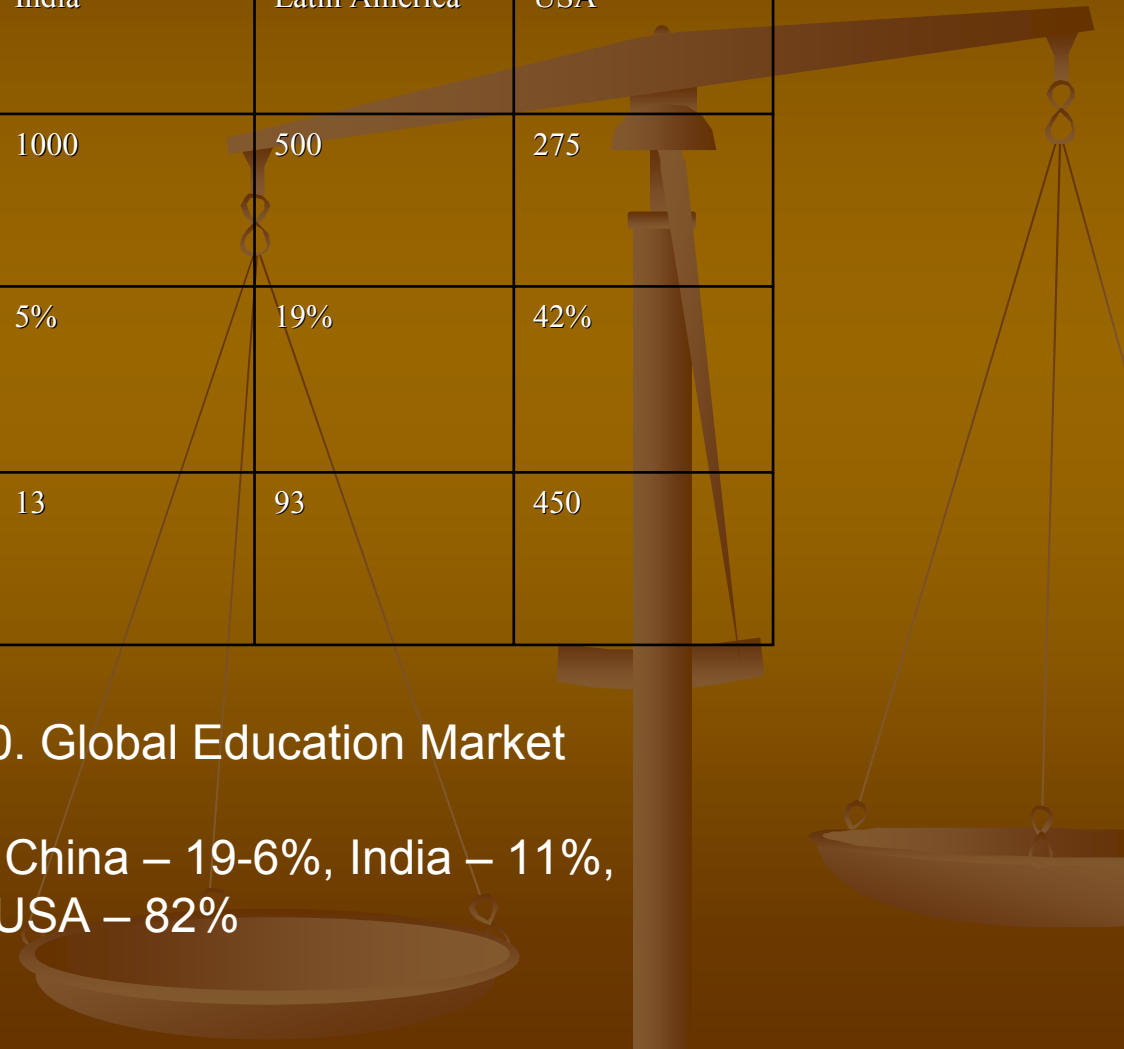
## ■ **Advantages of CBHE**

- Widening access
- Creates Competition that might enhance the quality
- Stops the brain drain
- Cheaper to get a foreign degree
- Brings innovation
- Fusion of cultures

## ■ **Disadvantages**

- Available only for those who can afford
- Threat to the role of the state
- Creating unemployment
- Not giving a real foreign experience
- Challenges the local knowledge
- Homogenization of culture

# Global Education Market



	China	India	Latin America	USA
Population in million (approximate)	1250	1000	500	275
% of 18-22 years with access to HE	6%	5%	19%	42%
Public expenditure on HE (\$B)	21	13	93	450

Source: UNESCO, 2000. Global Education Market

Access to HE in 2006 = China – 19.6%, India – 11%,  
Latin America – 22%, USA – 82%

# Leading Source Country flows to leading host countries (2002/2003)

Host Country \ Source Country	USA (582,996) TNFSE*	UK (227,273)	Australia (179,619)	Germany (219,039)	France (165,437)
China + Hong Kong	70968	25,524	30,814	14,081	5477
India	68,836	6016	9539	2196	309
Japan	46,810	5741	3271	2317	1483
Malaysia	7395	9011	17,574	216	212
Korea	49046	2322	3935	5153	1785

Source: UIS (2002). Foreign Students Enrollment. UNESCO Institute for Statistics, Montreal, Canada.

TNFSE\* = Total number of foreign students enrolled

# Top host countries in 2004

Country	No of Foreign Students Enrolled
USA	572509
UK	300056
Germany	260314
France	237587
Australia	166954
Japan	117903
Canada	40033
New Zealand	26359

(Source; GED, UIS, UNESCO2006, Canada)

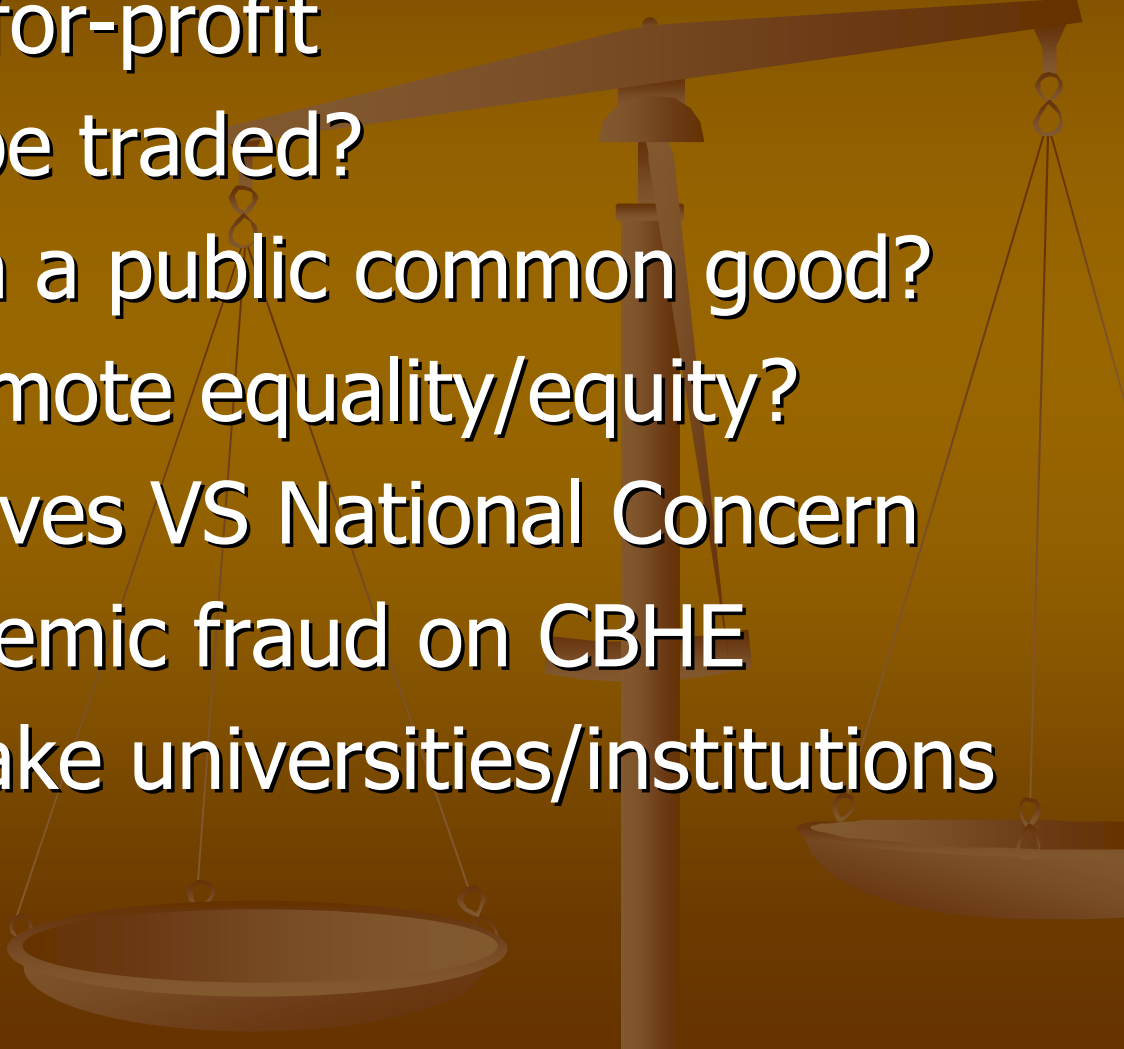
# Five major Cross-Border Higher Education Exporters in 2000



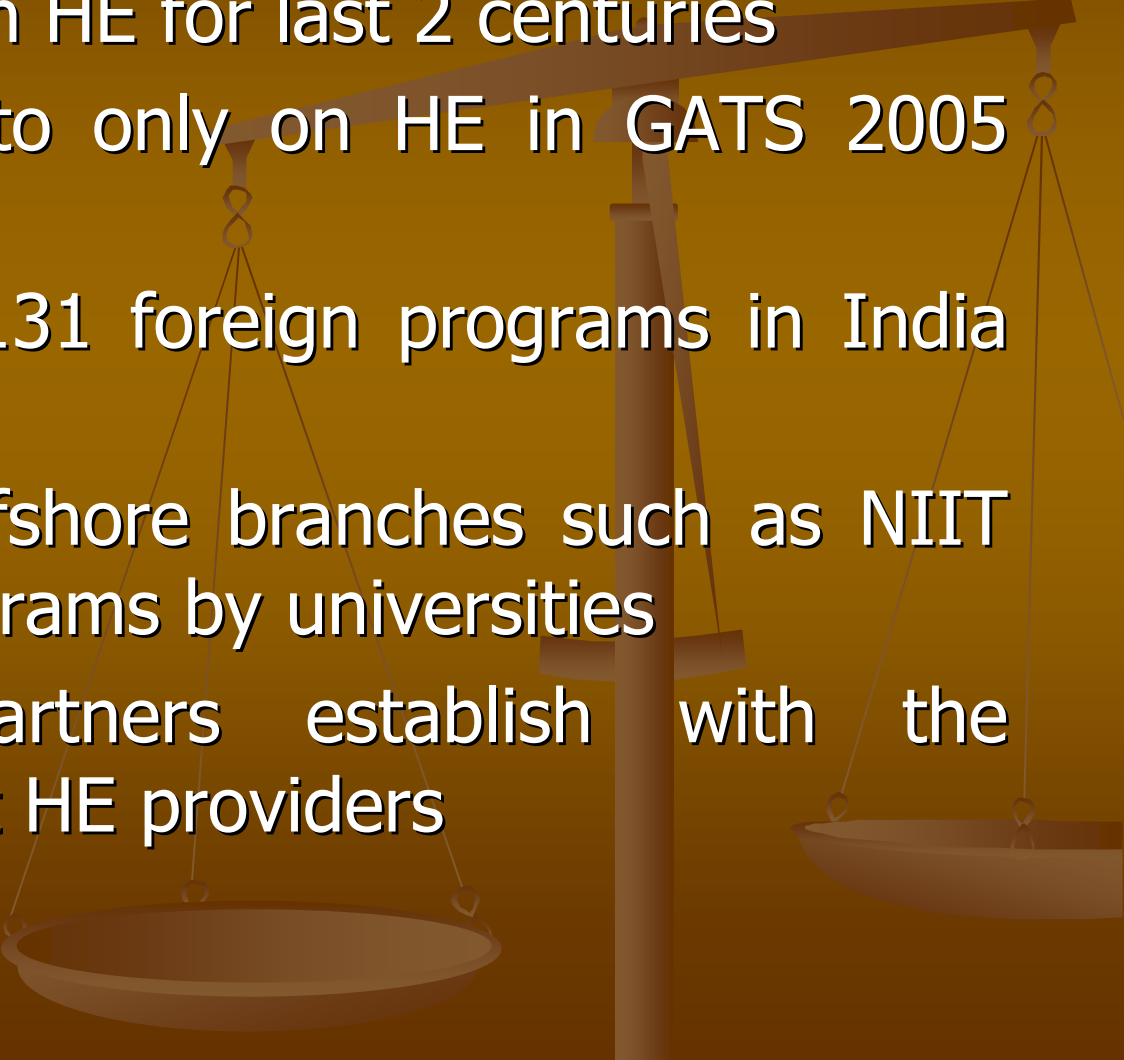
Country	Year 2000 (Amount in US\$ in million)
USA	10,280
UK	3,758
Australia	2,155
Canada	796
New Zealand	199

Source: Luciano Galan, 2005.

# Ethical Concerns of CBHE

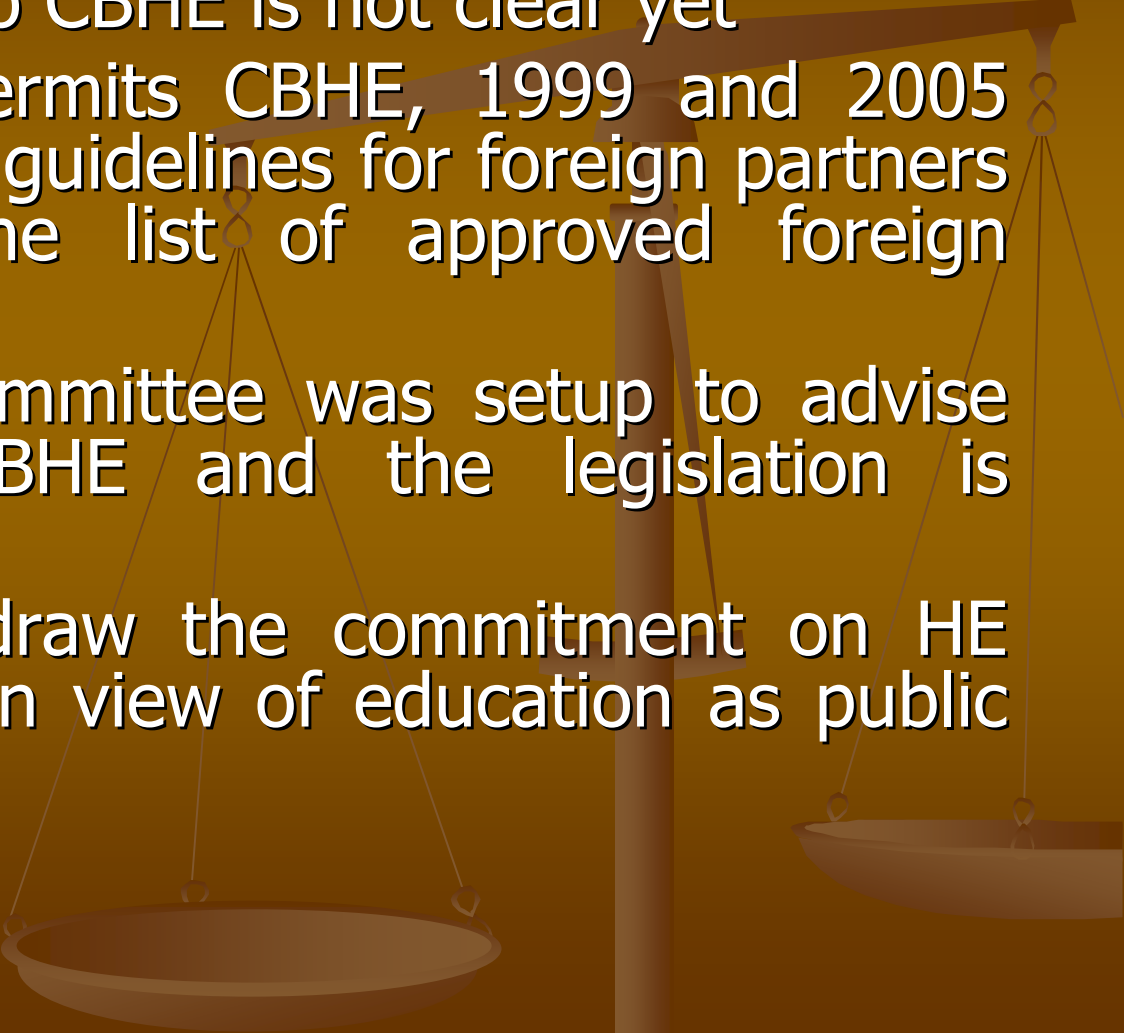
- Mostly CBHE is for-profit
  - Can education be traded?
  - Is not education a public common good?
  - Can market promote equality/equity?
  - Global Perspectives VS National Concern
  - Increasing academic fraud on CBHE
  - Emergence of fake universities/institutions
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# Current situation in India

- Indian HE = British HE for last 2 centuries
  - India committed to only on HE in GATS 2005 rounds
  - NIEPA identified 131 foreign programs in India in 2004
  - IT Institutions' offshore branches such as NIIT and Diaspora programs by universities
  - Most foreign partners establish with the domestic for-profit HE providers
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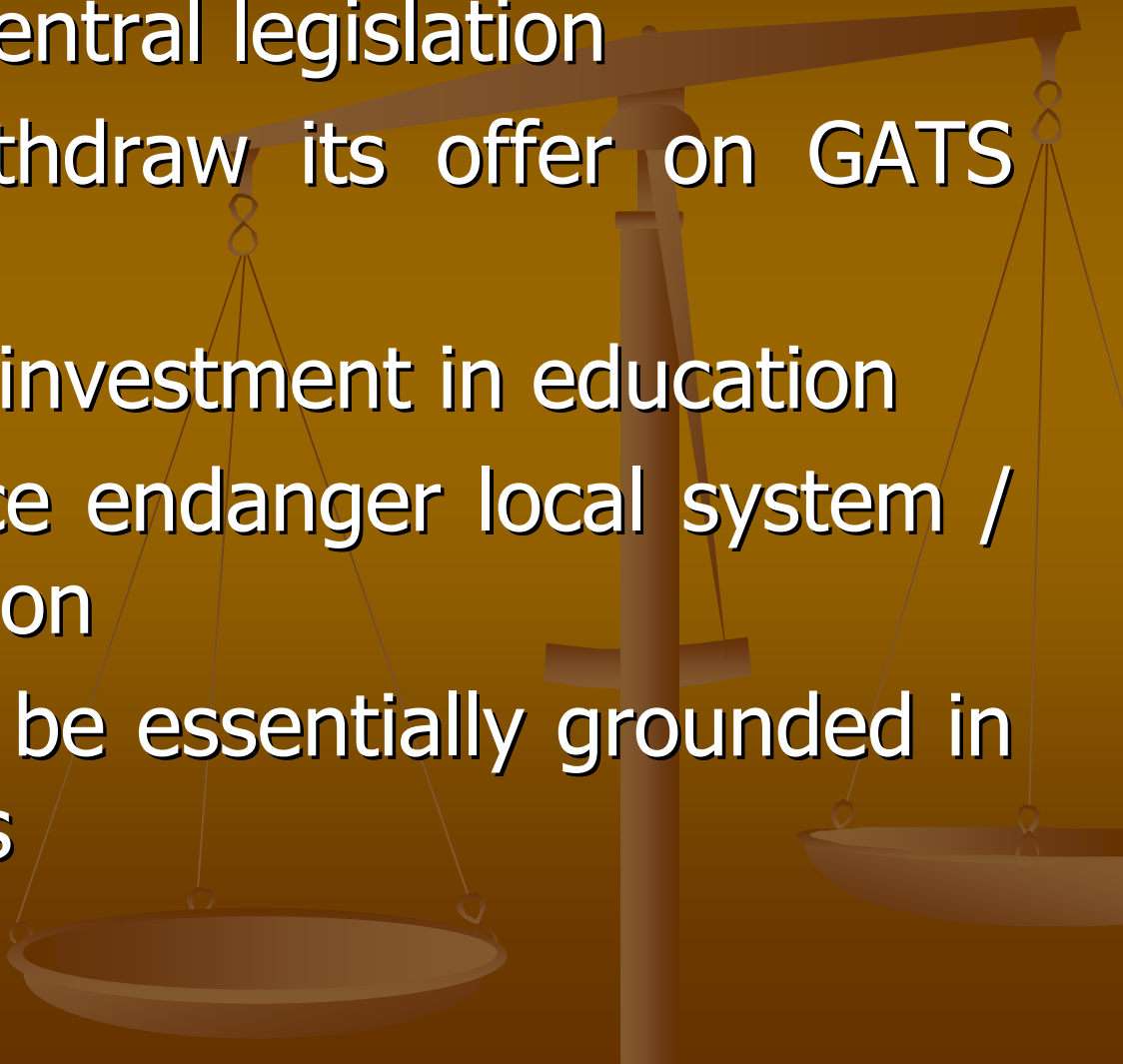
# Regulatory measures in India

- The law concern to CBHE is not clear yet
  - 1956 UGC Act permits CBHE, 1999 and 2005 AICTE formulated guidelines for foreign partners and published the list of approved foreign institutions.
  - In 2005, CNR Committee was setup to advise the state on CBHE and the legislation is underway.
  - India might withdraw the commitment on HE from GATS offer in view of education as public common good.
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# Major recommendations of CNR Rao Committee

- The foreign universities have to get prior approval to set up Indian operations
- In the first phase, foreign universities will be given a limited trial period, a sort of probation period and depending on their performance in the trial period, they will either be allowed or forbidden to set up long-term operations
- The proposed system will apply to all modes of operation, such as franchise, agreements, twinning programmes, study centres, programme collaborations, and offshore or branch campuses
- The proposal also calls for strong disincentives, such as forfeiture of substantial security deposits. This has been suggested to ensure that foreign players and their partners do not discontinue their operations after a few years, leaving students in the lurch (Satyanarayan, K, 2006).

# Post-CNR Rao com., debates

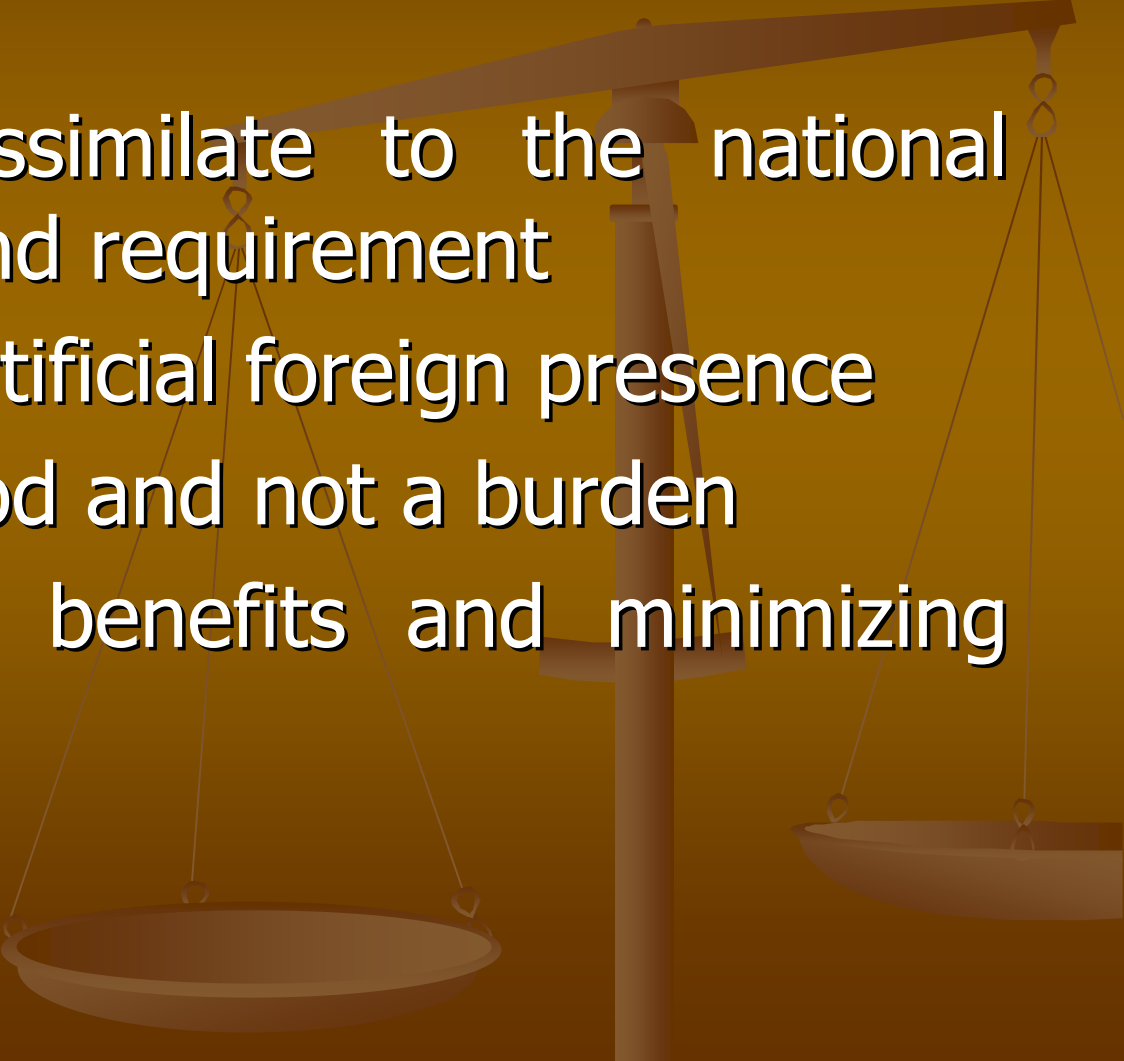
- Move towards central legislation
  - India might withdraw its offer on GATS commitment
  - Restrict foreign investment in education
  - Foreign presence endanger local system / brings competition
  - Education must be essentially grounded in academic values
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# Recent updates

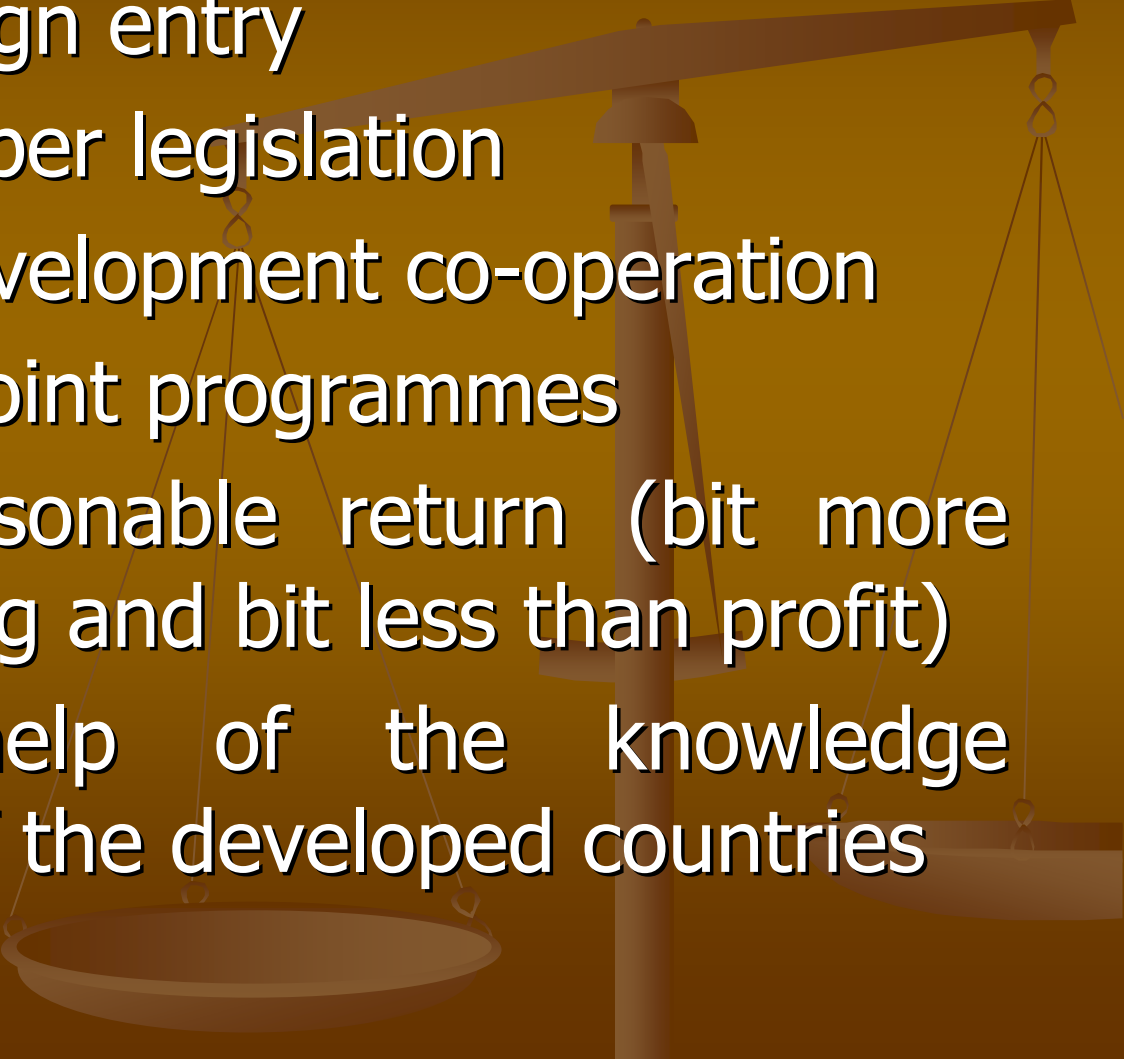


- The ministerial commission warned about double standards and no proper law
- Ministry of HRD prepared a foreign institutions regulatory bill
- Ministry of law given green signal to present this bill in the forthcoming monsoon parliamentary session
- The planning commission suggested not to regulate too much
- The PM has setup a National Knowledge Commission (NKC) to advise on present Higher Education problems in India

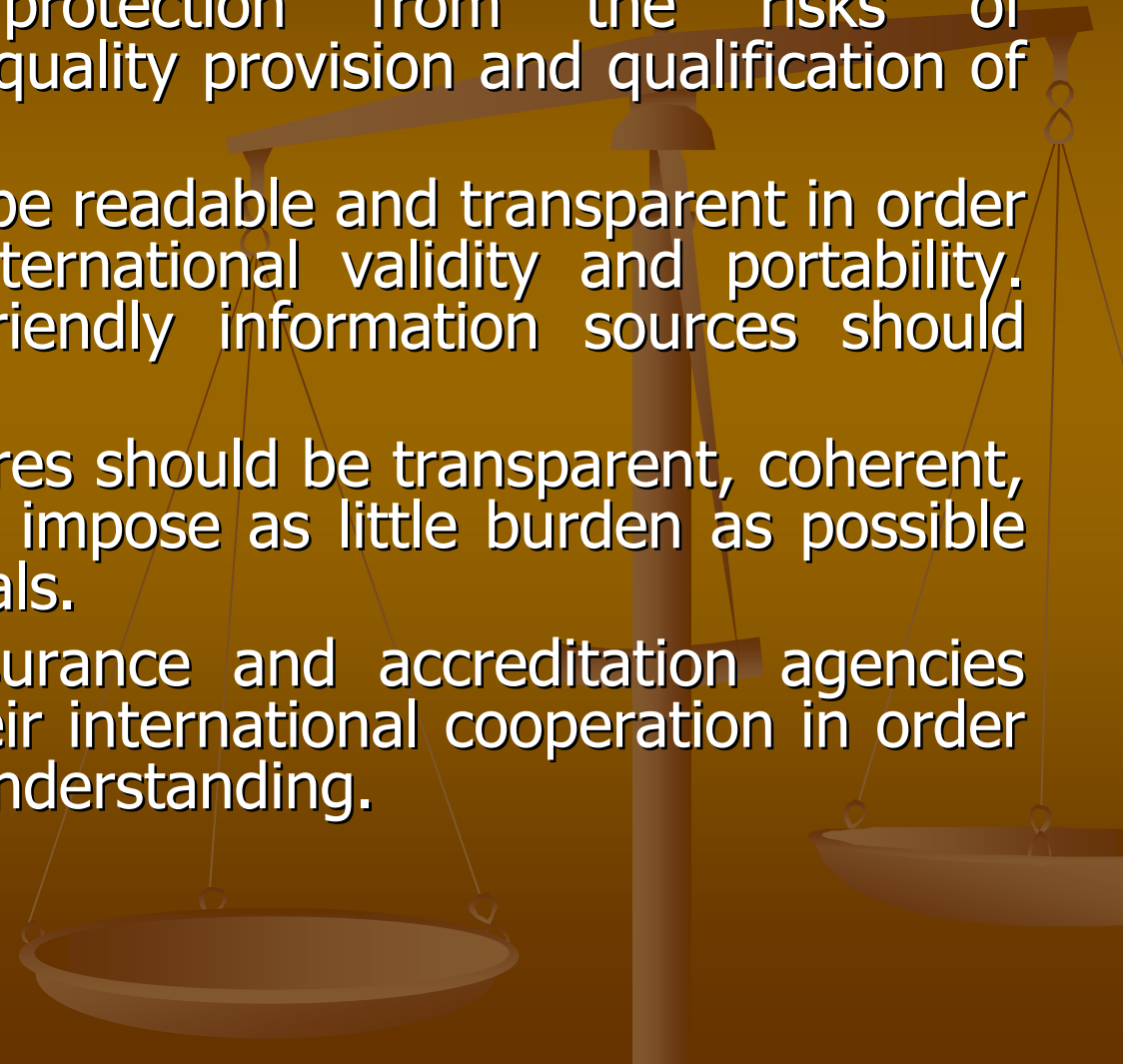
# Engaging with CBHE - 1

- Acquire and assimilate to the national temperament and requirement
  - Objecting the artificial foreign presence
  - Use it as our food and not a burden
  - Maximizing the benefits and minimizing the risks
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# Engaging with CBHE - 2

- Regulating foreign entry
  - Provision of proper legislation
  - Emphasis on development co-operation
  - Importance to joint programmes
  - Allowing a reasonable return (bit more than cost sharing and bit less than profit)
  - Taking the help of the knowledge advancement of the developed countries
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# OECD/UNESCO's guidelines on quality provision in CBHE

- Students/learners' protection from the risks of misinformation, low-quality provision and qualification of limited validity.
  - Qualification should be readable and transparent in order to increase their international validity and portability. Reliable and user-friendly information sources should facilitate this.
  - Recognition procedures should be transparent, coherent, fair and reliable and impose as little burden as possible to mobile professionals.
  - National quality assurance and accreditation agencies need to intensify their international cooperation in order to increase mutual understanding.
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# Concluding Remarks

- One of our interesting observations is that India has carefully opened its doors but in a not very well-regulated manner and also has not made much regulations to regulate its foreign providers.
- With GATS, the member country is free to choose what to commit and if a country commits and it is the duty of the country to provide proper legislation to regulate.
- Countries that are in knowledge advancement make advantages of CBHE, thus a global negotiation must be triggered to provide space for all to benefit from CBHE.
- India has to be very careful about CBHE, especially it must learn from Malaysia.



# Questions for discussion

- CBHE = for cooperation or corporatisation?
  - CBHE = interdependence or dependence?
  - CBHE = Knowledge bridging or divide?
  - CBHE = Promoting brand or sharing?
  - Are we trading away our rights to education?
  - How do we provide space for all to benefit?
  - Should we resist? Allow? Regulate?
  - How to manage concerns such as accreditation and quality assurance in the age of growing academic fraud at CBHE?
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