Regulatory Frameworks for Distance Education in the Asia/Pacific Region

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INTRODUCTION

Education worldwide is transforming rapidly at local, national and international levels. There are many driving factors fuelling increased demand for distance education (DE) across the globe however declining public funding in many national contexts and often inadequate financial and administrative capacity to respond to this growing demand have pushed much educational development outside the public education sector, for example, through private education and training organizations and employers. New regulatory instruments, in addition to national processes of accreditation and quality assurance, have become necessary [3]. Furthermore, some of the recent regional and international agreements, such as the General Agreement on Trade in Services (GATS), potentially have strong implications for DE development. The rapid uptake of distance learning by a variety of providers [2, 6] and the forecast continued growth in DE as a key form of education delivery [2, 6, 7] make appropriate accreditation and quality assurance processes that directly address distance learning long overdue. A review of the state of regulatory frameworks for distance education has been commissioned from a consortium of the DE Hub, Australian Universities Quality Agency (AUQA), International Network for Quality Assurance Agencies in Higher Education (INQAAHE), and the Australasian Council on Open, Distance and E-Learning (ACODE) by the International Council on Distance Education (ICDE).

The objectives of this review are to:

1. identify the main regulatory frameworks that apply to distance and online education in one region of the world;
2. collate the existing laws, policies, rules and regulations related to distance and online education in that region in a database;
3. compare the frameworks of all countries within the region and identify similarities and differences; and
4. provide case studies as examples of distance and online education practice under the regulations currently extant within the region.

This presentation will provide a summary of the results of the review conducted in late 2010 and early 2011.

OVERVIEW OF THE REVIEW OF REGULATORY FRAMEWORKS

The distance education sector is subject to varying laws, policies, rules, regulations and practices imposed by Government legislators, quality assurance and accreditation agencies, professional associations, academic associations, student bodies, credential evaluation and recognition bodies, regional and international organisations, and educational institutions themselves via their internal strategic and operational planning. Regulatory control in non-academic areas, such as pastoral care and fee protection or regimes in the area of tax and exchange regulations can also affect the development of distance education systems.

The review is exploring the regulatory frameworks for distance higher education within the Asia/Pacific region limiting this to some key members of the ASEAN and the Pacific Island Forum nations. This involves a survey of existing literature and regulatory agency material for the following countries: ASEAN: Brunei, Indonesia, Malaysia, Singapore, Thailand, Vietnam and the Pacific Islands Forum countries of Australia, the Cook Islands, the Federated States of Micronesia, Fiji (suspended on 2 May 2009), Kiribati, the Marshall Islands, Nauru, New Zealand, Niue, Palau, Papua New Guinea, Samoa, the Solomon Islands, Tonga, Tuvalu, Vanuatu, New Caledonia and French Polynesia. This region provides a study area that is sufficiently diverse to offer opportunities for comparison. It includes large and small scale nations, which have differing operational contexts, advantages, challenges and constraints.

The project consists of five key components: literature review and data collation; design and construction of a pilot database in which to store information about regulatory frameworks and data entry showing proof of concept; analysis of the different regulatory contexts; institutional case studies as practice exemplars; and preparation of reports on findings and outcomes of the research.

The analysis is focusing on developing a system that identifies the key similarities and differences among the different policy contexts in the region. UNESCO have already identified lack of funding and problems of sustained support; availability of human resources with sufficient competence and motivation, particularly concerning distance learning methodology and technology; technological infrastructure; and lack of strategic planning and coordination, including full specification of goals and priorities as potential barriers to the implementation of distance education. We are

investigating how regulatory frameworks impact on these factors. Barriers to the development of distance education will be considered in terms of quality, equity, access and funding and will be explored through the review of legislation, quality assurance and accreditation and institutional strategic management. Comparative analysis is informed by the previous work of Re.VICa, UNESCO, COL and others [1, 4, 5, 8, 9, 10, 11].

In a study area with such disparate state sizes, 'best practice' would most likely underplay the contribution of differing contextual factors in shaping educational policy and practice. The project is using case studies to offer a more subtle, mediated and contextualised way of sharing experience and learning that takes account of differences across the region. Regulation and quality assurance are the most important instruments governments employ to ensure that DE provision corresponds to national policy objectives in general and that it complies with minimum national quality standards. Therefore, the case-study research is especially concerned with identifying approaches and instruments for complying with the regulation and quality assurance frameworks for DE providers Four major objectives are guiding the case-study research:

- To analyze the principal forms and distinctive features of DE higher education in X institutions in relation to regulatory and quality assurance policies;
- To identify current approaches and good practices in regulation and quality assurance of DE provision;
- To identify the impact of regulatory framework on the DE system in terms of quality, access, equity and funding;
- To identify common effective regulatory provisions that apply across institutions and countries;

The outcomes of this project will be disseminated using an open source content management system published on the ICDE website and linked to the websites of the collaborative partners i.e. DE Hub, AUQA, INQAAHE and ACODE to ensure convenient access for the various stakeholders with an interest in regulatory frameworks for distance education. We intend this to provide a portable, scalable resource.

The presentation will provide a contextual overview of distance education in the region, the analytical results, and present the database of the regulatory frameworks for distance education in the region with the intention that this be adopted more widely as a tool for exploring and sharing best practice in distance education regulation.

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