

Distance education regulatory frameworks: Readiness for openness in Southwest Pacific/South East Asia region nations

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Abstract

This paper reports in brief the pilot study, Distance Education Regulatory Frameworks, undertaken by the International Council for Open and Distance Education (ICDE) in 2010–2012 and the implications for openness for higher education in Southwest Pacific/South East Asia region nations. The project developed a methodological approach to identifying, accessing, collating, analysing and presenting the requested regulatory information. Here, the findings of the study are discussed in light of the theme of openness. In particular, what “open” may mean for the region; what inhibitors can be observed and what major changes might need to be considered. The discussion draws on formal and informal literature on regulatory frameworks for distance education (DE) in the Southwest Pacific/South East Asia region. Contextual information was collected about the nominated countries within the region, along with nine case studies from representative institutions whose primary focus was distance and online education.

Keywords: Distance education; open education resources; Southwest Pacific; South East Asia; higher education, online education

Introduction

An ICDE-commissioned pilot study on regulatory frameworks was conducted between 2010–2012. It had a focus on distance education regulatory frameworks in order to understand how these impact on the development and delivery of distance education across education sectors. As a pilot study, it concentrated on Southwest Pacific/South East Asia region nations. In this paper, the authors draw upon findings of that study in relation to higher education and consider what “open” may mean for the region; what inhibitors can be observed and what major changes might need to be considered.

In preparation for the UNESCO Paris Declaration for OER Congress, Paris 2012, the Commonwealth of Learning (COL) commissioned a report on funding open education resources (OER). In their unpublished draft essay, “Exploring the business case for oer”, Butcher & Hoosen (2012) observe that governments and organisations face challenges in how to fund the requirement to expand educational provision, ensure it is accessible to all, assure quality and compete in an increasingly digital society. Expanding access to higher education is a global challenge, so while discussion here has a focus on one particular region, it will have a transferability to other jurisdictions.

“Open” has had varied meanings in global contexts. More recently, with acceptability of the OER movement and, particularly, the affirming recent announcement of the Paris Declaration (UNESCO, 2012), the definition of open has moved away from definitions of open for access (commonly used for open universities) towards definitions of open that relate more broadly to open education

practice. For the region discussed in this paper, the term open education practice for distance education draws upon the Open Education Quality Initiative (OPAL) definition.

Open Educational Practices (OEP) constitute the range of practices around the creation, use and management of open educational resources with the intent to improve quality and innovate education (<http://cloudworks.ac.uk/cloud/view/3452>).

Distance learning itself has multiple and varied definitions and, in the recent environment of wide-scale adoption of technology and online modes of delivery for all students regardless of their location, there has been a lack of clarity about what constitutes distance learning. "Distance learning" is a generic term used to describe a wide range of delivery methodologies that institutions use to provide access to their programmes. For the purpose of this pilot, distance education, also variously referred to as distance learning, e-learning, online learning, online education or distributed learning (Guri-Rozenblit, 2009), was defined in its broadest sense, as education or training courses delivered to remote (off-campus) sites via paper, audio, video (live or pre-recorded) or computer technologies, including both synchronous (i.e. simultaneous) and asynchronous (i.e. not simultaneous) instruction. Distance education courses that require a physical on-site presence for any reason, including the taking of examinations, are considered to be a hybrid or blended course of study. Distance learning includes such blended learning when the distance learning part is in the majority. Blended models are now the most common form of distance education.

Distance education can be offered domestically, internationally or transnationally. The latter two concepts are also without consensus definitions. Transnational education is generally considered to be education in which the learners are located in a country different from the one where the awarding institution is based (McBurnie & Pollock, 1998; UNESCO/Council of Europe, 2001). This definition can be applied loosely to allow the inclusion of education that is provided by collaborative arrangements, such as franchising, twinning, joint degrees where study programmes are supplied by another partner, articulation programmes, as well as non-collaborative arrangements, such as distance education (with or without local support), branch campuses, off-shore institutions and Corporate universities (Bernardo, 2003).

The pilot project found that the distance education sector in the pilot region 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. Consideration of all these different aspects of distance education was beyond the scope of the review of regulatory frameworks, which focussed more narrowly on international agreements impacting on education, national, state and local regulations and policy, quality assurance mechanisms (if any) and ICT regulation and policy (where this information was available).

Context

The project explored regulatory frameworks for online and distance education within the Asia/Pacific region, limiting this to some key members of the ASEAN and the Pacific Island Forum nations. This would involve a survey of existing literature and regulatory agency material for the ASEAN countries, Brunei, Indonesia, Malaysia, Singapore, Thailand and Vietnam, and the Pacific Islands Forum countries of Australia, the Cook Islands, the Federated States of Micronesia, Fiji,

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 provided a manageable scope for the project yet sufficient diversity in national and institutional characteristics to render different regulatory perspectives and afford comparisons of approach.

Research design

The pilot project was designed with five main phases:

- literature review and data collation;
- design and construction of a pilot online resource that would present information about regulatory frameworks and data entry;
- analysis of the different regulatory contexts;
- institutional case studies as practice exemplars; and
- preparation of reports on findings and outcomes of the research.

The literature provided guidance about the likely enablers and barriers for distance education, and the factors identified from previous research became the drivers of our data collection strategy.

Our review of distance education regulation primarily considered three types of literature: government legislation and policy documents; published literature (anything with an ISBN or ISSN number) and grey literature (reports and documents available in the public domain, such as on the worldwide web, that do not have an ISBN or ISSN). As well as collating data on the laws, policies, rules, regulations and practices relating to distance education, an emphasis was placed on existing literature reviews, regulatory evaluations or impact studies, country and institutional characteristics, regional education statistics, identification and definition of all key terms, data fields and key issues to be considered. All areas that can be regulated were considered: granting of permission to operate, recognition of awards, independent or collaborative operation, admission criteria, courses offered, funding and student fees, student support and language instruction.

Country data

A defining list of easily accessible, public domain sources was settled upon and used consistently to extract basic data on the population, economic and educational development for each country in the study area. From this, a country profile was developed to provide a context in which to analyse and discuss the distance education regulatory frameworks.

The most current and best-sourced information was selected from the data sources and synthesised to complete a summary table and narrative overview sections. Country profiles were developed to provide a context setting for the institutional case studies and added substance, helping in interpretation of the quantitative data. Both open and closed questions were posed in order to achieve depth. The combination of data aimed to provide a deeper understanding of how regulatory frameworks impact on the organisation and development of distance education.

Case studies

The cases were based on a common research framework. A questionnaire to audit institutional characteristics and overall policy and quality arrangements in the studied DE institutions was developed to ensure that consistent basic data was collected in order to facilitate comparisons between the institutions. The questions were the same for all of the participants across the nine universities. Ethics clearance for the institutional questionnaire was sought and approved. The Universities invited to participate were

- University of New England
- University of Southern Queensland Central Queensland University Charles Sturt University
- Universitas Terbuka in Indonesia
- Wawasan University Open University of Malaysia
- Sukhothai Thammathirat Open University
- Ho Chi Min Open University Hanoi Open University
- University of the South Pacific
- Massey University The Open Polytechnic
- Open University of Papua New Guinea
- New Caledonia National Centre for Distance Education (CNED)

The survey questions addressed a wide range of dimensions of institutional characteristics, including directional differences (e.g. with respect to missions); functional diversity relating to the relative emphasis on teaching, research, innovation, continuing education and other services; student profile (in terms of socio-economic, ethnic, international, gender, religious, full-time/part-time learners balance); staff profile; governance structures, institutional target groups, subject and programme range, funding sources, internal reward structures and quality assurance criteria. A subset of this information was summarised into an institutional profile to be accessible online.

The limitation of the case study methodology is that it sometimes reflects the opinions of only one staff member in an institution, or only one institution in a country, and thus does not necessarily give a representative sense of the values and instruments used to regulate distance education implementation.

Analysis

A simplified comparative analysis (Ragin & Griffin, 1994) informed by the previous work of Re.ViCa, UNESCO, COL (2007) and others (e.g. Abdous, 2009; Holt & Challis, 2007; Mishra, 2007) was used. The analysis focused on developing a system that identified the key similarities and differences among the different policy contexts in the region. The collated country and institutional profiles were the key data sets interrogated for similarities and differences. Factors identified as important by UNESCO, Re.ViCa and COL were drawn upon as guiding lenses, although these were not intended to limit the possibility of new substantive themes emerging during the analysis. The analysis subsequently investigated how regulatory frameworks impact on these factors. Barriers to the development of distance education were considered in terms of quality, equity, access and funding and were explored through the review of legislation, quality assurance and accreditation and institutional strategic management.

Relevance of project for “open” in higher education

The differences in regulatory approaches in the Asia—Pacific region seem to be based largely on cultural and economic issues, such as the level of development of a country’s ICT infrastructure, the penetration rates of different forms of ICT, the emphasis people place on culturally unique content, willingness to invest per capita income and level of educational attainment. Intra-country digital divides are also rooted in socio-economic issues, such as: differences between rural and urban areas, differences within urban areas and age groups, language barriers, caste differences, lack of access to electricity and lack of access to ICT infrastructure. Similar factors have been identified in earlier evaluative studies of online education in the Asia Pacific (Baggaley and Belawati, 2007; Farrell and Wachholz, 2003; Latchem et al., 2008; Martin and Bray, 2009).

According to Butcher & Hoosen (2012), who conducted the UNESCO/COL study, 57% of 19 Asia Pacific countries report policy or strategy relevant to the use of open education resources. The countries which responded to the UNESCO/COL study in part overlap with the ICDE project. Of those countries surveyed in the ICDE study, Indonesia is the only one listed within the UNESCO/COL study with a strategy on OER and defined open source and open access principles. They note:

Indonesia has committed to OER as part of its strategy of serving the educational needs of a population of nearly 250 million spread over 17,000 islands and three time zones. At the regulatory level there is a ministerial regulation on OER, whilst at the operational level, the Indonesian Higher Education Network (INHERENT) was established in 2007 for resource-sharing in education and research, in which all development of resources will be based on open source and open access principles (p.11).

Butcher and Hoosen (2012) also highlight that in the region there are initiatives that are funded by institutions and individuals (52%), specific public funding (52%), some private funding (26%) and specific government initiatives (39%). Across the region, most OER focus occurs at the tertiary level.

The perceived benefits of OER for the 19 countries were collated by Butcher & Hoosen (2012). For Asia Pacific, Open and flexible learning opportunities was the most highly ranked perceived benefit at 57%. This was followed by increased efficiency and quality of learning resources at 52%; and cost efficiency of OER innovative potential of OER, both at 48%. It is likely that as political and socio-economic imperatives alter within the region, new sustainable practices will be required in all countries and will need to support good practices in education provision, decision-making and accountability. Many quality assurance organisations, governments and international agencies, such as UNESCO and COL, will have an enormous role to play in supporting the perceived benefits of OER.

Developing OER and OEP within and perhaps around existing regulatory frameworks should be undertaken by understanding that OERs need to be located within cultural contexts. Many OERs have been developed within a “western and English language” paradigm and need to be adapted carefully. The use and repurposing of OERs will meet the requirement to address “local needs”. As Butcher & Hoosen (2012) note, Vietnam policy makers want amongst a varied list “to provide the OER community with courses that have Vietnam-specific content that considers the Vietnamese culture” (p. 20).

In regard to obstacles for the Asia Pacific, Butcher & Hoosen (2012) agree with our findings that connectivity and access is perceived as a limitation to further adoption. However, copyright and publishers rate even higher as being the greatest obstacle. Training, awareness raising and copyright law, amongst other issues, inhibit further development.

Open Educational Resources (OER) were supported in 75% of countries (18) in our study—no evidence of support for OER was recorded for the Marshall Islands, Micronesia, Polynesia, Palau, Indonesia or Brunei. However, active engagement with OER was much less evident in our case studies. Most institutions (67%) sourced less than 20% of their distance education content from outside their institution. Three institutions (in Vietnam Malaysia Thailand) sourced a considerable amount (40–80%) of their content externally. Similarly, in most cases (57%), less than 20% of that externally-sourced content was OER and in 29% of the institutions, none of it was. Only one institution in Vietnam made reasonable use (21–40%) of externally-sourced OER material. Collaborative production and use of content is even minimal within institutions—in most institutions (86%), 20% or less of content is sourced from other departments within the institution. Not surprisingly, use of student-generated content is even lower, with 71% of the case study institutions incorporating no student-generated content into their courses.

Our results also suggest that some institutional policy change will be necessary to encourage and facilitate production and sharing of OER. In most institutions (56%), intellectual property rights (IPR) on staff-developed content are owned by the institution with some licensing back to staff; in another 22%, there was no licensing back to staff and only one had a policy allowing IPR to be jointly owned by institution and staff. Furthermore, most institutions (89%) reported that content is not portable in that when staff move institutions, there are legal restrictions on them taking distance education teaching material that they have produced.

Conclusion

This paper has reported in brief the pilot study Distance Education Regulatory Frameworks undertaken by the International Council for Open and Distance Education in 2010–2012 and the implications for openness for higher education in Southwest Pacific/South East Asia region nations. Contextual information was collected about the nominated countries within the region, along with nine case studies from representative institutions whose primary focus was distance and online education. The authors suggest that readiness for openness in higher education across the region requires an understanding of regulatory frameworks, sensitivity to cultural contexts, strategy at a range of levels including governmental and institutional. There is a willingness and preparedness to investigate and explore OER in higher education across the region.

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