

## Planning, Developing and Approving Transnational Programs Procedure

<b>Approving authority</b>	Academic Committee
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<b>TRIM document</b>	2018/9005026
<b>Description</b>	<p>This document outlines the process the University uses to assure itself that:</p> <ul style="list-style-type: none"> <li>▪ a new transnational program proposed by an Academic group is consistent with the University's Strategic Plan and its international objectives,</li> <li>▪ that the partner with whom the program is to be offered will add value to the University by increasing international opportunities for staff and students in teaching and research, and</li> <li>▪ the program is viable and sustainable.</li> </ul> <p>The Program Approval and Review process is the instrument that governs this procedural document and in accordance with which this procedural document is implemented.</p>

### 0Related documents

[Program Approval and Review](#)

[Program Concept Proposal for Transnational Programs](#)

[New Program Strategic Brief](#)

[Due Diligence for Transnational Program Partnerships Policy](#)

[Transnational Program Business Plan Template](#)

[New Program Proposal](#)

[Framework for Quality Assurance](#)

[Student Charter](#)

[Structure and Governance of Academic Groups of the University](#)

[The National Code of Practice for Registration Authorities and Providers of Education and Training Overseas Students 2018](#)

[UNESCO/OECD Guidelines on Quality Provision in Cross-border Higher Education](#)

[Applying Quality Principles to Australian University Transnational Teaching and Learning: Final Report 2013](#)

[UK Quality Code for Higher Education, Part B: Assuring and Enhancing Academic Quality, Chapter B10: Managing Higher Education Provision with Others](#)

[Education Services for Overseas Students Act 2000 \(ESOS Act\)](#)

[\[Introduction\]](#) [\[Scope\]](#) [\[Partner Selection\]](#) [\[Agreements\]](#) [\[Procedures\]](#) [\[Flowchart of Transnational Program Approval Process\]](#)

**Interpretation:** In this policy, reference to Academic Group, School, Group Pro Vice Chancellor, Dean or Head of School has the meaning set out in the *Structure and Governance of Academic Groups of the University*.

## 1. INTRODUCTION

Griffith University supports the development of transnational programs subject to certain criteria and conditions being met. As a result, proposals to establish and teach programs offshore are subject to rigorous approval processes. These processes ensure:

- the program is consistent with the University's Strategic Plan and its international objectives;
- the program's graduate outcomes are equivalent to the University's onshore programs;
- that students enrolled in transnational programs are treated in a manner equivalent to students undertaking onshore programs;
- that there are appropriate physical and learning resources for the conduct of the program;
- the teaching staff are appropriately qualified to deliver the program, that teacher development opportunities are provided and teaching performance is monitored;
- there are adequate processes and resources to support students being taught in a transnational program/ setting;

that transnational programs are reviewed regularly in accordance with the University's [Program Approval and Review](#) process.

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## 2. SCOPE

For the purposes of this policy, the term 'transnational program' means a higher education award program taught by the University outside Australia, and includes programs taught by University staff in-country or by distance education (including online) including twinning, articulation and other sub-contract arrangements.

A 'higher education award' is an award which leads to a qualification located at levels 5, 6, 7, 8, 9 or 10 of the Australian Qualifications Framework and meets the corresponding specifications (including the levels criteria and qualification type descriptors).

A twinning arrangement is one where transnational students study a Griffith curriculum both onshore and offshore. For example, in an undergraduate program students study the full three years of a Griffith curriculum, and are enrolled as Griffith students for those three years, including the period they spend studying offshore.

An articulation arrangement is one between Griffith and another institution to offer a specifically approved pathway for progression between a program at the other institution and a Griffith award program, involving specific credit arrangements where the University delivers an offshore component.

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## 3. PARTNER SELECTION

To assess the reputation and standing of transnational partner(s) to engage in the provision of educational services, partner selection processes are to be transparent and documented, giving due consideration to maintaining the reputation of the University. Prior to confirming selection of a partner due diligence checks are to be conducted by the Vice President (Global) to assess the partner's financial standing and reputation as an education provider. All reasonable efforts are to be made to establish the probity, financial viability and professional standards of any partner before any agreement is reached.

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## 4. AGREEMENTS

There are two types of agreements that shape transnational programs:

#### **4.1 Memorandum of Understanding or a Letter of Intent**

In many countries it is advisable for non-binding agreements to be entered into, prior to the execution of the legal agreement and these include a Letter of Intent or a Memorandum of Understanding (MOU). These agreements are not essential. However they may be required in order for the transnational partner to institute its internal approval procedures.

These non-binding agreements are simply statements of intent on the part of the transnational partner and the University to work together with the view of establishing formal legal relations. It is essential therefore that each agreement specifically states that it is not legally binding and that it is a statement of intent to which the parties are bound in honour only.

There is no set format to the Letter of Intent and Memorandum of Understanding but examples may be obtained from Griffith International or advice may be sought from Legal Services as to the format appropriate to the program being considered. A Letter of Intent or MOU is normally signed by the Vice Chancellor where the signatory of the other party is his/her equivalent, except when the Vice Chancellor nominates another officer of the University to sign on his behalf.

Depending on the transnational partner's requirements these agreements may be short on actual details. In other words they may contain more broad brush statements about collaborating to provide a program or may contain more specific details about a particular program. Alternatively the details of the program may be negotiated without either a Letter of Intent or Memorandum of Understanding and will simply be contained in the Memorandum of Agreement.

#### **4.2 Legal Agreement**

Prior to the signing of a legal agreement, Griffith International is responsible for ensuring that the transnational program meets Australian government requirements as well as those of the country's government in which the program is to be conducted. The Vice President (Global) is required to provide clear advice to the Group Pro Vice Chancellor and the Deputy Vice Chancellor (Academic) about the University's responsibilities in relation to any transnational program prior to the signing of a legal agreement.

This legal agreement governs the relationship between the University and the transnational partner. It contains the respective obligations of the parties in relation to each transnational program. The legal agreement is to cover items such as the student experience (admission processes, language of instruction, support services), the approval of marketing activities and materials for promoting the program, academic standards and outcomes, processes for conferring of awards, appointment of teaching staff, program review, and the conditions upon which the program is to be withdrawn from offer by the University. The legal agreement will only be prepared after all relevant approvals have been provided including those from the Deputy Vice Chancellor (Academic), Office of Finance (FIN), Group Pro Vice Chancellor and Vice President (Global). This agreement is prepared by Griffith International, except in those instances where the Vice President (Global) decides to refer the agreement to Legal Services, after which it is approved and signed by the Vice President (Corporate Services).

Each agreement will vary depending on the nature of the transnational program and the terms that are negotiated with each transnational provider. The individual nature of the relationship is reflected in the University's obligations, the transnational provider's obligations and the financial arrangements. Other terms and conditions in the legal agreement are more standard in nature and will therefore require little if any amendment. Program structures and degree requirements should not be contained within the legal agreement as it constrains the University and its teaching staff's ability to make curriculum changes.

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## **5. PROCEDURES**

The following procedures ensure that:

- proposals for transnational programs are consistent with the University's overall international strategy and
- partner relationships are based on academic, business, legal and regulatory planning.

## **Step 1: Program Concept and Due Diligence Check**

Where the idea for a transnational program arises from an individual staff member, the staff member must discuss the program immediately with the Group Pro Vice Chancellor.

Proposals for transnational programs are to be discussed with the Vice President (Global) as early as possible in order to ensure that relevant information such as the University's overall international strategy, its current country and program profile, local regulations, local tax regimes, and other activities of the University in the same country are taken into account. The Vice President (Global) is responsible for providing advice on the suitability of any overseas partners involved in the proposed program and for providing advice on the relevant laws and accreditation systems of the host country with which the program needs to comply.

*Step 1A A Program Concept Proposal (PCP)* is prepared outlining the nature of the program, its equivalence to any relevant onshore program/s, its benefits to the School and the University in terms of international opportunities for staff and students in teaching and research, and any particular issues or implications which will need to be considered. The Program Concept Proposal (PCP) is prepared by the Group Pro Vice Chancellor in consultation with the Vice President (Global) and the Group Academic Services Officer. The Group Pro Vice Chancellor forwards the Program Concept Proposal (PCP) to the Vice President (Global) to present together with the Due Diligence Check to Executive Group for consideration.

*Step 1B Due Diligence Check* - Prior to finalisation of partner selection due diligence checks are to be conducted. The Vice President (Global) is responsible for the due diligence check and may consult with FIN and in-country agents, government agencies and intelligence reports on the partner institution in establishing the financial viability of the partner.

The Vice President (Global) is responsible for completing the Due Diligence Check pro-forma and providing it to Executive Group for consideration in conjunction with the Program Concept Proposal.

On the basis of the Program Concept Proposal and the Due Diligence Check the Group Pro Vice Chancellor, if required, may instruct Griffith International to draw up a Letter of Intent or a Memorandum of Understanding.

## **Step 2 Executive Group in Principle Approval to Proceed**

Executive Group is responsible for giving approval in principle on the basis of the Program Concept Proposal and the Due Diligence Check for the proposal to proceed to the development of a New Program Strategic Brief.

## **Step 3 New Program Strategic Brief**

If such approval is given Griffith International must be involved in the further development of the transnational program, particularly in such matters as student recruitment, managing of agents, and liaison with local authorities. The Group Pro Vice Chancellor, in conjunction with the Vice President (Global), is responsible for developing the New Program Strategic Brief.

A critical milestone in program development is an assessment of the resources required to support the program. It is important at this step to clarify the investment required by the University by undertaking a frank assessment of the requirements for physical, financial and human resources to support the program. This information is collected in the New Program Strategic Brief. The Group Pro Vice Chancellor is responsible, in consultation with the Group Resource Manager and Vice President (Global), for completing the resources section of the New Program Strategic Brief.

The New Program Strategic Brief contains the primary information that the Deputy Vice Chancellor (Academic) requires in making a determination as to whether the program proposal is to proceed to full program planning. The New Program Strategic Brief requires statements about how the program plans to achieve the development of core skills and competencies consistent with the Griffith Graduate statement, while taking account of the cultural and linguistic sensitivities of the country in which the program is to be taught. In addition, the New Program Strategic Brief seeks information for advertising and student recruitment. The Group Pro Vice Chancellor is responsible for providing the New Program Strategic Brief to the Deputy Vice Chancellor (Academic) with a recommendation of whether or not to proceed to business planning and New Program Proposal.

#### **Step 4 Business Plan**

Following approval of the New Program Strategic Brief by the Deputy Vice Chancellor (Academic), the Group Pro Vice Chancellor is responsible for preparing a business plan in accordance with the University's proforma Transnational Teaching Project Business Plan. The Business Plan is to be prepared in consultation with the Vice President (Global) and the Group Resource Manager.

#### **Step 5 Executive Group Approval of the Business Plan**

On completion of the Business Plan the Group Pro Vice Chancellor is responsible for providing the Business Plan and the Due Diligence Check to Executive Group with a recommendation of whether or not to proceed with the program.

On the basis of the Business Plan, the Due Diligence Check and on the recommendation of the Vice President (Global) the Vice Chancellor approves the fees for transnational programs.

#### **Step 6 New Program Proposal**

The Dean is the responsible officer for ensuring and maintaining the quality of each transnational program development. Following approval of the New Program Strategic Brief by the Deputy Vice Chancellor (Academic) the Dean (Learning & Teaching) establishes a Program Development Team or appoints a Program Director to develop a New Program Proposal. The New Program Proposal documents the case for the transnational program providing the program structure, requirements and content with supporting argument, and documents all information needed to be conveyed to students in the Program and Courses website.

#### **Step 7 Approval by Academic Committee**

The New Program Proposal is to be submitted to Group Board and from Group Board the New Program Proposal will proceed to Programs Committee for consideration. Programs Committee is responsible for assuring that the program's outcomes are consistent with the Griffith Graduate statement; the program quality in terms of teaching and learning is equivalent to any relevant onshore programs; the program is based on a pedagogy that is suitable for the student cohort; and all resources, including library, computing equipment and online learning systems, are adequate to support student learning. The New Program Proposal will proceed from Programs Committee to Academic Committee for formal establishment of the program.

#### **Step 8 Legal Agreements**

The Vice President (Global) is responsible for the preparation of the relevant legal agreements, based on the information contained within the Business Plan, except in those instances where the Vice President (Global) recommends that the agreement be referred to Legal Services. While Griffith International or Legal Services may have direct dealings with an individual academic staff member who is principally involved in the project, such staff members are not authorised to give final approval to the legal agreements or to approve any amendments or variations to them.

The relevant Group Pro Vice Chancellor approves the contents of the legal agreements including all sub-contracts and agreements relating to employment and consultant contracts and agreements associated with the project. All legal agreements are to be signed by the Vice President (Corporate Services).

## 6. FLOWCHART OF THE TRANSNATIONAL PROGRAM APPROVAL PROCESS

