



British Council Project: Framework for the Quality Assurance of TNE in Kazakhstan

Output 1: Review of regulatory policies and processes that currently govern the management and delivery of TNE in Kazakhstan

Introduction

This review reflects the work undertaken to understand the higher education context in Kazakhstan as a background to the development of the proposed Framework for the Quality Assurance of TNE funded by the British Council. It sets out what could be identified as the main laws and regulatory processes governing TNE and makes some recommendations in relation to these. The approach taken looks firstly at the national, Ministry¹ level and then moves through institutional and programme levels. In addition to the legal and regulatory framework, some other relevant observations and research from practice both within Kazakhstan and globally have been included since they serve as an underpinning to the recommendations about the form and content of the proposed TNE quality assurance framework.

Consideration starts with the main law 'on education' which covers all sectors and, having been passed in 2018, is supplemented by other 'rules' and 'orders', the most relevant of which have also been included. As TNE did not really take off in Kazakhstan until 2020, these later supplements are of particular importance.

Establishment of TNE partnerships

The law 'on education' sets out the types of organisations of higher and postgraduate education (OHPEs)² in the state and non-state sectors and identifies that them as autonomous organisations. As far as TNE is concerned, the most relevant section of this law is article 65, which states the right of all educational organisations in Kazakhstan to establish 'direct relations with foreign organisations of education, science and culture and conclude bilateral and multilateral agreements of co-operation'. The types of co-operation listed refer particularly to staff, researcher and student exchanges. Section 4 further states that establishment of international and foreign educational institutions and (or) their branches is 'on the basis of international agreements or by the decision of the science and higher

¹ **The Ministry** is used to refer to the Ministry of Science and Higher Education of the Republic of Kazakhstan.

² Kazakh universities are referred to in this document as Organisations of Higher and Postgraduate Education (OHPE); 'partners' is used to refer to foreign providers. '

education authority'. There are some exclusions in relation to countries or organisations listed by the Ministry of Foreign Affairs as ineligible.

The right to establish TNE partnerships is therefore clearly established within the law on education. Less clear is exactly how the TNE partnerships gain approval to deliver higher and postgraduate education. Clause 5 of article 65 states that licensing of educational activities, as well as their control and accreditation are 'carried out in accordance with the legislation of the Republic of Kazakhstan, unless otherwise provided for by international treaties ratified by the Republic of Kazakhstan'. Unfortunately, familiarity with the legislation that is relevant to a partnership is complex as there are a range of other laws that could also apply such as "On Education", "On Science" "On Non-Profit Organisations", "On Joint Stock Companies", "On Commercialisation of Scientific and (or) Scientific-Technical Activities", "On Countering Corruption" and further orders and rules that clarify and supplement them. At no point in the research on the legal and regulatory framework was it possible to establish the process for Ministry approval of a prospective TNE partnership. Since the establishment of a high-quality partnership begins with a robust assessment of the proposal, it is recommended that:

- **the legal and regulatory framework for the establishment of a TNE partnership, together with the documentary evidence required to demonstrate compliance, be collated into a single, user-friendly document that is easily accessible for prospective partners.**
- **the above document is supported by a clear set of definitions of the types of TNE partnerships that are permitted in the Republic of Kazakhstan and any conditions that apply to these.**
- **That there is a programme of training and awareness raising for Ministry officials and managers responsible for TNE within institutions to ensure that there is a shared understanding of the process and requirements for approval of a partnership.**

In relation to the second recommendation, there is currently a very limited range of types of TNE partnerships. Dual and double degrees are seemingly less complex to set up as they are housed within a Kazakhstani university that has its own processes and procedures and can therefore guide the TNE partner. Branch campuses so far have each been established as single projects with unique features. However, in order to achieve the Ministry of Science and Higher Education's strategic goals in relation to the expansion of high quality TNE, there will need to be further consideration in the types of partnerships that are established. Franchised and validated TNE programmes, for example, can be set up with middle ranking universities where teaching excellence, rather than research, is a priority. This type of TNE enables students with limited finances to access high quality international programmes without the expense of some of the more costly branch campus provision or the requirement for periods of study abroad. This type of partnership also supports a labour-market demand-based approach where programmes are delivered in subjects that have not traditionally been taught or offer a more applied approach than current provision. Franchised and validated partnerships also bring with them a considerable amount of development for local academic and administrative staff as the ultimate aim is that the programme is mainly delivered by the local Kazakhstani provider.

Monitoring of TNE at National Level

National level monitoring of TNE provision is mainly undertaken through the Ministry's Committee for Quality Assurance in the Sphere of Education and Science. According to their web pages, their remit relates to three aspects:

- Issuing licences to operate
- Issuing appendices to individual programmes

- Use of quantitative data to implement control in areas of risk.

The loss or suspension of licences to operate is the main consequence of intervention to control areas of risk. There is no detail on what triggers this type of action. OHPEs make an annual return of general data on recruitment and grade point average but it is not clear how it is used. In the 'Model Rules for the Activities of Organisations of Higher and Postgraduate Education' it states that 'upon request of the competent authority in the field of science and higher education, OHPE shall submit reports on the implementation of international co-operation and activities of foreign structural divisions (institutes, centres, chairs) established at the OPHE', suggesting that there are other potential forms of monitoring when required.

As noted in the previous section, OHPEs are independent and are therefore responsible for monitoring their TNE partnerships. The National Centre for Higher Education Development (MNVO) monitors the numbers of partnerships and keeps a record of agreements and details of the programmes being delivered. Whilst OHPEs in Kazakhstan are no doubt able to identify issues and work with their partners to find effective solutions, the lack of separate monitoring through e.g. collection of TNE specific data on recruitment, outcomes and employment of TNE students at present means that there is no national picture of the performance of TNE. It was suggested that the number of international students recruited to TNE programmes could be used as a measure of quality but this could also be deemed as little more than a measure of the effectiveness of recruitment and marketing strategies. This in turn means that there is little opportunity to identify and celebrate success, share effective practice and review outcomes in relation to strategy at a national level. It is therefore recommended that:

- **Consideration be given to ways in which separated data on TNE provision can be collected and monitored at a national level in order to monitor quality, measure achievement of national goals and surface effective practice.**

Although it does not currently exist, if the Ministry were to consider introducing some form of National Student Survey to gain an in depth picture of students' experiences, it would be important to ensure that there was capacity to separate out TNE for similar reasons to those stated above.

Quality Assurance of TNE at the Institutional Level

As noted above, the law 'on education' establishes the right of OHPEs to engage in partnerships with foreign organisations for the purposes of educational activities. In addition, the autonomy of OHPEs in Kazakhstan means that they are free to establish their own governance structures and quality assurance processes within the parameters of the outline requirements in the law 'on education', notably in article 44.

TNE partnership proposals are approved by the OHPE's Board of Directors. OHPEs that are experienced in TNE are competent bodies in their own right and are likely to have robust procedures in place for ensuring proper due diligence and initial and on-going risk assessment in relation to the partnership. The experience of UK TNE providers working across the globe has identified that the underpinning agreement and alignment of mission, vision, strategy as well as robust and open scrutiny of proposals all underpin successful, long-term partnerships. In addition, due to the dynamic nature of the external environment, advances in research and changes in the employment market, there needs to be regular and robust review of the partnership and horizon scanning for future potential. These are aspects that are not covered by the ESG accreditation processes so it is recommended

- **that the TNE Quality Assurance Framework includes principles, advice and guidance on the approval and monitoring of high quality partnerships. This relates specifically to the business and governance aspects of the partnership.**

There is no national accreditation process for universities or programmes but most OHPEs have taken up the option to seek this type of confirmation of the effectiveness of their quality processes. In fact, 92% have institutional accreditation and 96% of programmes are also accredited. The accreditation bodies are chosen from a register of those approved by the Ministry and include both Kazakhstani and other European agencies. All of these work to the European Standards and Guidelines (ESG, 2015), meaning that quality assurance structures and processes in OHPEs have been developed to ensure that these can be met. However, it has to be recognized that whilst accreditation processes cover general quality assurance, there is no specific focus or review of TNE provision.

Within a TNE partnership, the foreign partner may be operating under different standards and requirements and will certainly have its own regulations and processes. Whilst many are part of the Bologna process and have standards and guidelines that align with the ESG and the European Standards Framework (ESF), there is not always alignment or parity of standards. The underlying principle of TNE is that the requirements of the awarding body must be met, but there should also be a mechanism for agreeing and ensuring that international standards for quality are met and that the provision is jointly reviewed. In the case of dual and double degrees, both awarding bodies' requirements will need to be met and these may differ to varying degrees. It is therefore recommended that

- **the framework for the quality assurance of TNE in Kazakhstan reflects the fact that standards and requirements for quality that are agreed for the partnership need to also meet the awarding bodies' own standards and requirements as well as those of the ESG.**

The agreement on this will need to be written and reviewed on a regular basis.

For branch campuses and separate entities, which are required to be licensed by the Ministry, the earlier recommendation about clarity of Ministry approval applies. However, as the number of branch campuses expands and the range of countries involved diversifies it is recommended that

- **branch campuses should map their quality assurance processes to the ESG (if they are not working within that framework) and use the proposed TNE quality assurance framework as a baseline when establishing their procedures for the branch campus.**

A dissemination and familiarisation programme for the framework should offer the dual benefits of supporting the further development of a quality culture in Kazakhstan's higher education and reassuring stakeholders and the public that there are common standards that TNE operates under.

The 'Model Rules for the Activities of Higher and Postgraduate Education' state that OHPEs will establish and enforce internal quality assurance systems based on international standards and guidelines of the EHEA. The areas to be covered are listed and these align with the European Standards and Guidelines (ESG, 2015). The Model Rules also make stipulations about the composition and duties of a 'council on academic quality' that is to be set up for each faculty or school. The duties of the council include decisions on content of educational programmes, assessment policy and other academic issues such as academic integrity. It also has a remit to organise a student survey on the quality of programmes and/or modules and to include students on the council. The importance of student representation and student voice more generally are therefore recognised in OHPEs and

- **the TNE quality assurance framework needs to ensure that integration of the student voice through meetings and committees is supported by partners and**

that there are opportunities to use student feedback to help support continuous improvement of quality.

Quality assurance of TNE at Programme Level

At the level of the academic programme, in addition to requirements in the law 'on education', the order 'on approval of qualification requirements imposed on the educational activities of organizations providing higher and (or) postgraduate education, and a list of documents confirming compliance with them' (January 2024) sets out the requirements for qualifications delivered by international and foreign educational institutions 'created on the territory of the Republic of Kazakhstan'. These relate to the staffing and resources that need to be provided rather than academic content. What is particularly useful about this law is that it clearly sets out the documentary evidence that is needed to demonstrate compliance. **It is therefore recommended that a similar approach be used by the Ministry for identifying documentation needed for TNE providers to gain a licence.**

In the 'Rules for organizing the educational process on credit technology of education' there are specifications in relation to programme content and organisation. The fact that Kazakhstan joined the Bologna process twenty years ago and operates the European Credit Transfer System supports partnerships as the majority of TNE partners would either be using or otherwise understand the system. The grading system used in Kazakhstan is, however, different to many countries, often requiring the development of a formula to translate TNE partner awarded marks into grades that Kazakhstani students and parents understand. This has implications for record systems that may need to record two types of grading but also requires systematic and careful communication with stakeholders so that it is fully understood. An additional difference highlighted by UK TNE partners is the absence of external examining of students' work in Kazakhstan and the impact that this has on turnaround times for returning grades to students. Kazakhstani students are used to receiving their grades within a few days rather than a few weeks of submission and this can cause problems. It is therefore recommended that

- **partners work together to ensure that public information for parents, students and other stakeholders is accessible, comprehensive and designed to explain the rationale for differences and manage expectations.**

The 'rules on credit technology' include stipulations relating to the compulsory inclusion of a period of professional practice, study skills training and a thesis or project in higher education programmes. In the order 'on Approval of State Compulsory Standards of Higher and Postgraduate education', there is a provision for TNE partners to change the stipulated content of programmes on the condition that they include the history of Kazakhstan, Kazakhstani language and philosophy. There is also a requirement that students should complete a thesis or project and that the final assessment will be in the form of an examination. It is not clear whether these latter conditions apply to degrees awarded by foreign universities but if they do, there will be issues of compatibility and a possible impact on whether awards are recognised by the Republic of Kazakhstan. Recent developments based on pedagogical research and student feedback mean that these elements are not always compulsory in other countries. Again, this comes back to the need for very clear information on requirements for prospective TNE partnerships.

New programmes developed as part of a TNE partnership, once registered (fulfilling the conditions noted above), have four years to achieve programme accreditation. Without this accreditation, graduates will find that their degrees and diplomas are not recognised in Kazakhstan. The four-year period reflects the normal duration of an undergraduate

programme. As with all other forms of accreditation, the provider chooses from the list of accreditation agencies in the Register. Accreditation requirements need to be taken into account from the beginning of the development stage of the programme so that documentation clearly evidences the processes adopted from development through to graduation. The recommendation in terms of the framework for quality assurance of TNE is

- **that partners work together to ensure that they fully understand accreditation requirements, in addition to their individual state and institutional regulations to ensure that they collectively achieve the best possible outcomes.**

Chapter 2, paragraph 4 of the 'Rules for organizing the educational process on credit technology of education' (updated in 2022) contains the mandatory conditions for double degree programmes. Synchronisation, common understanding and joint development of programmes are all highlighted as important. The mandatory conditions for their implementation are based on similar principles and should be unproblematic. The stated outcomes for students – either one or two degrees – could be confusing for other countries who make the distinction between dual/double and joint degrees but this is simply a question of being clear with terminology for each type of TNE partnership, as noted earlier. The section on compulsory components of the programme identifies the need to respect the standards and regulatory requirements of both providers. This type of consensus is not always easy to achieve but should be supported by the framework for QA of TNE by clarifying the agreed principles for joint working.

Distance and online (blended) learning

The use of online and distance learning in partnerships is an area of growth, underpinned by the rapid upskilling of staff and students and development of infrastructure during the Covid pandemic. This type of learning has a lot of advantages for delivery of TNE and particularly in relation to its capacity to enable students in Kazakhstan to participate in lectures and online activities delivered by other countries and to complete work in conjunction with students from across the globe. These positives need to be weighed against the risk to quality of the student experience when students who have signed up for a face to face programme have a disproportionate amount of delivery online and potentially in isolation with no local support.

The provisions within the current laws in Kazakhstan help to mitigate against this type of danger but their rigour may in fact exclude TNE students from many of the advantageous aspects of online (blended) delivery. The 'Requirements for Educational Organizations for the Provision of Distance Learning' and the 'Rules for the Organization of the Educational Process for Distance Learning and in the Form of Online Learning in Educational Programs of Higher and (or) Postgraduate Education' set out minimum specifications for those delivering online and distance learning in terms of technology and systems. This includes the need for software that can check the identity of the user, ISO standard security policy and a quality monitoring system for online learning that fulfils the requirements of the OHPE's internal quality assurance policy. There is recognition that some subject areas and certain parts of the curriculum should not be taught online and stipulations about resources and support that need to be in place. The rules also contain an array of percentages of online delivery allowed in relation to different types of programme, so essentially applying to blended rather than fully distance learning. This is rather complicated and needs to be considered alongside the percentages in other rules such as the 'Rules for organizing the educational process on credit technology of education' which stipulates a maximum of 2% online delivery.

Three recommendations emerge from the above in relation to online and distance learning, that:

- **the meaning of the various laws and rules for TNE providers is clarified and consideration be given to the advantages of the further integration of high quality online learning.**
- **the TNE QA framework should identify how the quality of any online learning included in programmes as well as fully distance delivery is assured and enhanced.**
- **distance learning is considered as being part of the typology of TNE in Kazakhstan. This applies to fully distance as well as models where students have the option of in country workshops delivered by local providers to supplement online delivery.**

There are a number of highly experienced global providers who can offer students in Kazakhstan the opportunity to study courses that may not be available to them face to face or, in the case of postgraduate education in particular, can fit around their employment.

Other factors impacting on quality

This final set of factors has emerged more through discussion and consideration of background research on TNE in Kazakhstan than directly through researching laws and regulations. They all impact on the quality of the TNE student experience and therefore need to be considered within the quality assurance framework.

Firstly, to return to the consideration of course content in the previous section, one of the major areas that has been consistently identified by students in many different TNE partnerships is the importance of contextualisation of subject matter and materials. Students need to be able to apply what they are learning to scenarios and environments that they understand and have experienced. This requires careful planning and joint development and enhancement of both programme content and materials. Many providers find that this is an area where local industry and business input is important, in helping to explain the national and local needs and practices and providing materials and examples that will be relevant to students. Initial approval to run a programme in Kazakhstan requires that 100% of resources are in place and that they are in the language of study. This may present some additional but not insurmountable difficulties for partnerships, necessitating careful planning.

As noted earlier, the European Standards and Guidelines (ESG) attach importance to the student voice and particularly in relation to programme design, monitoring and enhancement. TNE partnerships need to ensure that cultural differences in approaches to involvement of students in quality assurance are understood and strategies are employed to ensure that there is a planned approach to capitalising on the input that students make. The reference to cultural difference is at the level of both the partnership and more generally in relation to academic culture in the countries that are partnering. It is recommended **that within the quality assurance framework it is recognised that students undertaking a representative role and attending committees should be trained to fully understand their role, and the value of their contribution needs to be acknowledged**. Similarly, in terms of programme committees and indeed student surveys, students need to be told what has emerged as important from their feedback and the enhancements that are being put in place as a result.

Conclusion

The review of the current regulatory and legislative context governing TNE partnerships in Kazakhstan has highlighted recommendations for the Ministry and for current and potential TNE partnerships. The latter will support the development of the framework for quality assurance of TNE in Kazakhstan but with the firm understanding that new areas for consideration and inclusion will arise throughout the project.

The approach to the development of the framework is underpinned by the full recognition of the need to respect the autonomy of OHPEs in Kazakhstan. This is set alongside the fact that TNE partners are also autonomous and have their own regulatory requirements. The approach will therefore seek a 'middle ground' of principles and practices that are recognised as sound quality assurance mechanisms and can be adopted by all. Alongside this, there will be practices that focus on enhancement, and advice and guidance that is taken from best practice and promotes continuous enhancement. By involving stakeholders from across Kazakhstani higher education throughout the process, the aim is to ensure that they feel ownership of the framework and recognise it as an important support in their TNE activities.