





TRANSNATIONAL EDUCATION CONCERNING HIGHER EDUCATION IN 7 COUNTRIES



TRANSNATIONAL EDUCATION IN THE ADRIATIC AND MEDITERRANEAN REGIONS

Regulation, quality assurance and information provision in 7 countries

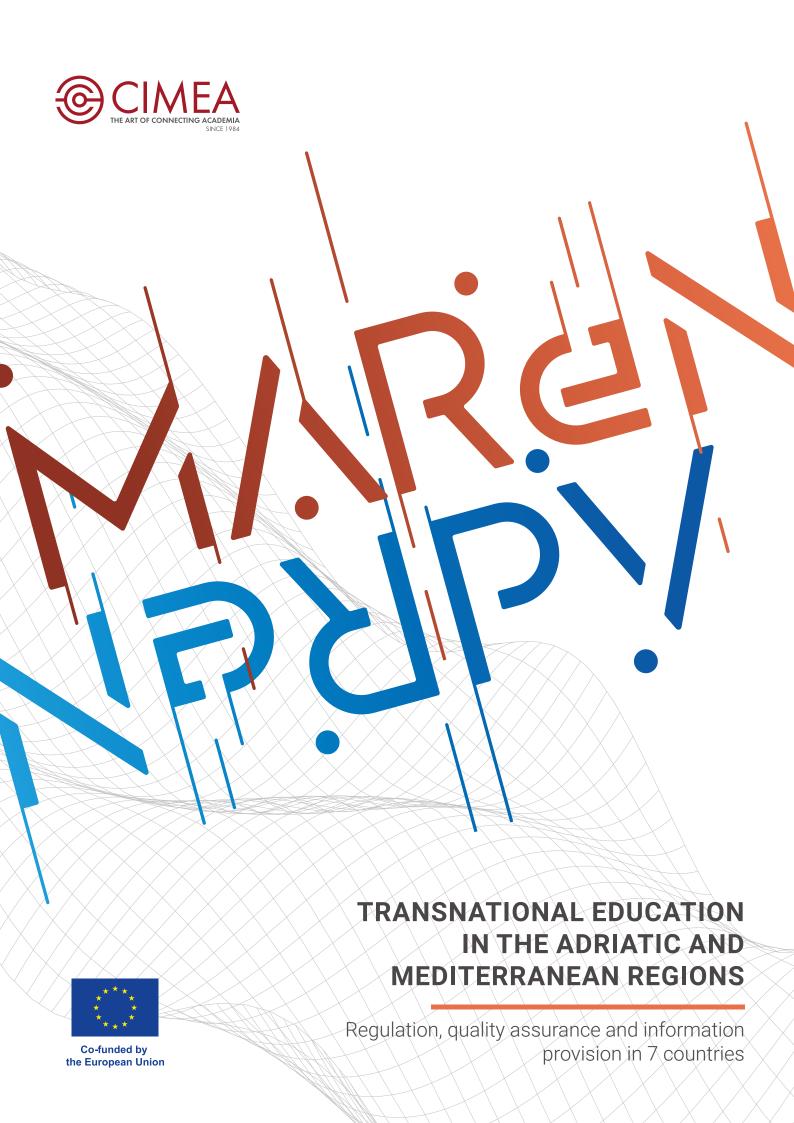
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NNNEX I

TNE at upper secondary education level in 7 countries

see document









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INTRODUCTION

This document has been developed in the framework of the **MAReN project**, which has the main objective of implementing the "Council Recommendation on promoting automatic mutual recognition of higher education and upper secondary education and training qualifications and the outcomes of learning periods abroad" in the countries of the Mediterranean region. MAReN stems from the experience of **the AdReN project**, and the present publication is the result of this synergy, providing the reader with a comparative overview of information on regulations, quality assurance and information provision in the 7 partner countries involved in both projects, in the Adriatic and Mediterranean region.

In this light, the state of play on transnational education (TNE) in MAReN partner countries (Croatia, Italy, France, Portugal and Spain) and the revised edition of the publication previously published in the framework of the AdReN project (partner countries: Croatia, Italy, Greece, Slovenia), have been analysed with the **aim of gaining a better understanding of how and to what extent automatic recognition can be applied to TNE**.

The "Convention on the Recognition of Qualifications concerning Higher Education in the European Region"², also known in abbreviated form as the **Lisbon Recognition Convention** (**LRC**), states the principle that a qualification giving access to higher education in a State which is party to the Convention will also give access in other countries that are party to the same convention, unless a substantial difference can be demonstrated between the qualifications³.

¹ Council of the European Union (2018), Council Recommendation 2018/C 444/01 of 26 November 2010 on promoting automatic mutual recognition of higher education and upper secondary education and training qualifications and the outcomes of learning periods abroad.

² Convention on the Recognition of Qualifications concerning Higher Education in the European Region, 11 April 1997, ETS n. 165.

³ Ibid, art. IV.1, IV.3, V.1 and VI.1.

In line with this principle, the "Recommendation of the Council of the European Union on promoting automatic mutual recognition of higher education and higher secondary education and training qualifications and the outcomes of learning periods abroad" states that if a qualification allows access to higher education in one Member State, the same qualification also allows access in the other countries of the EU, without prejudice to the autonomy of higher education institutions to establish their own admission requirements⁴.

These principles also apply to TNE, object of articles IV.9 and VI.5 of the LRC. The two articles – related respectively to the qualifications giving access to higher education and to higher education qualifications – state that a Party to the Convention may make the recognition of qualifications issued by foreign educational institutions operating in its territory contingent upon specific requirements of national legislation or specific agreements concluded with the Party of origin of such institutions.

In subsequent years, the importance of promoting good practices in TNE as well as of ensuring quality of both institutions and study programmes has become a central point. As evidence of this, it is sufficient to think that, in the first 10 years of Lisbon Recognition Convention, 3 out of the 5 additional documents adopted by the Lisbon Recognition Convention Committee are about transnational education:

- The Recommendation on International Access Qualifications (1999)
- O Code of Good Practice in the Provision of Transnational Education (2001)
- O Revised Code of Good practices in the provision of transnational education (2007)⁵.

The Monitoring the implementation of the Lisbon Recognition Convention report 2022⁶ offers a wide overview on the recognition practices related to transnational education (part 3 of the document), that was not included in the one published in 2016. The monitoring exercise

⁴ Ibid. art. 2, para. 1, a) i).

describes the state of play on the recognition of qualifications issued by foreign educational institutions operating in the national territory contingent upon specific requirements, and the existence at national level of list of foreign TNE institutions published and available in the LRC state parties.

In the framework of the Global Convention on the Recognition of Qualifications concerning Higher Education⁷ – entered into force on 5 March 2023, transnational education – defined as "cross-border education" – is mentioned twice in the text: connected to the recognition of higher-education Qualifications (Art. V.3 and V.6) and in the context of recognition of partial studies and prior learning (Art VI.3).

Taking into consideration that sharing information on TNE institutions and the measures taken to ensure usability and recognition of their qualifications at national level is pivotal to achieve automatic recognition, this document gives an overview of how the phenomenon is addressed by the 7 EU countries in the Adriatic and Mediterranean regions, in line with the results of the LRC Implementation Monitoring Report previously mentioned.

The document begins with a brief introduction to the concept of TNE, while the following chapter - the core section of the text - describes the state of the art on TNE in the 7 countries with a focus on:

- O Implementation of the LRC, making particular reference to any specific requirements based on which qualifications issued by foreign educational institutions operating in the 7 countries are evaluated (i.e., national legislation, specific agreements, status of the institution).
- Types of TNE institutions operating in the national context.
- O Information made publicly available (i.e., list of TNE institutions published and available).

⁵ Council of Europe/UNESCO, "Revised Code of Good Practice in the Provision of Transnational Education", Council of Europe/UNESCO, 2007.

⁶ UNESCO & Council of Europe, Monitoring the implementation of the Lisbon Recognition Convention, 2022. URL: https://unesdoc.unesco.org/ark:/48223/pf0000383465/PDF/383465eng.pdf.multi

UNESCO & Council of Europe, Monitoring the implementation of the Lisbon Recognition Convention, 2016. URL: https://www.enic-naric.net/fileusers/Monitoring_Implementation_LRC-Final_Report.pdf

 $^{^{7}\,}$ Global Convention on the Recognition of Qualifications concerning Higher Education, 25 November 2019

TNE - CONCEPT AND GUIDING PRINCIPLES

The Revised Code of Good practices in the provision of transnational education contains the following definition of TNE:

"All types and modes of delivery of higher education study programmes, or sets of courses of study, or educational services (including those of distance education) in which the learners are located in a country different from the one where the awarding institution is based. Such programmes may belong to the education system of a State different from the State in which it operates or may operate independently of any national education system"8.

The recognition of qualifications awarded in the framework of TNE is described in articles IV.9 and VI.5 of the LRC⁹, the former related to secondary qualifications awarded by transnational education institutions and the latter concerning higher education:

- "For the purpose of admission to programmes of higher education, each Party may make the recognition of qualifications issued by foreign educational institutions operating in its territory contingent upon specific requirements of national legislation or specific agreements concluded with the Party of origin of such institutions." (Art. IV.9)¹⁰.
- "Each Party may make the recognition of higher education qualifications issued by foreign educational institutions operating in its territory contingent upon specific requirements of national legislation or specific agreements concluded with the Party of origin of such institutions." (Art. VI.5)¹¹.

⁸ The same definition is used in "European Area of Recognition- EAR Manual", and in "The European Recognition Manual for Higher Education Institutions" (EAR-HEIs), third edition, February 2020.

⁹ <u>Ibid</u>. art. IV.9, VI.5

¹⁰ Ibid. art. IV.

¹¹ <u>Ibid</u>. art. VI.5

TNE encompasses a wide range of phenomena and different types of institutions, as reported in the table below (Lantero et al., 2021)¹².

Types of TNE institutions

- O **Branch Campuses**: campuses established in a country by a foreign higher education institution offering its own educational programmes/qualifications regardless of the origin of the students.
- Off-shore institutions: autonomous institutions established in a country but belonging, in terms of their organisation and contents, to the educational systems of other countries. These institutions are established in foreign countries but do not have parent awarding institution in the country whose educational system is used as reference.
- Franchised Institutions/Programmes: the teaching institution and the awarding institution do not coincide. The teaching institution operates in a country different from that of the awarding institution and offers programmes and degrees as well as issues qualifications, in accordance with the conditions stipulated in the franchise agreement. These agreements are mainly commercial in nature and not always related to academic purposes. Franchised Institutions are not checked by any Quality Assurance agencies.
- International HE Institutions: institutions which do not officially belong to any national higher education system. They are usually established by international organisation or are the result of international, bilateral or multilateral agreements.
- O Multinational Corporate Universities: institutions which are usually launched by big transnational corporations and organise their own higher education study programmes, offering qualifications which do not belong to any national education system. These qualifications are more targeted towards labour market and thus accreditation is not prioritised by these institutions.

The Revised Code of Good practices in the provision of transnational education highlights the importance of promoting good practices in the area of TNE, with particular reference to the quality of the provision of study programmes and the standards of qualifications issued by the Parties to the LRC. What's more, the Revised Code states a set of principles to which TNE institutions should adhere:

- 1. Transnational arrangements should be so elaborated as to widen access to higher education studies, to support the full development of individuals, and to comply with the national legislation regarding higher education in both receiving and sending countries.
- 2. Academic quality and standards of TNE programmes "should be comparable to those of the parent awarding institution(s), if any, and respect the criteria and provision for quality assurance and/or accreditation systems of the home country as well as be recognized in an appropriate way by the receiving country whether as legitimate foreign education or part of the host education system".
- **3.** The policy and the mission statement established through transnational arrangements as well as the goals, objectives and contents of specific programmes should be published.
- **4.** Provision of information given by the awarding institution, providing organisation, or agent to prospective students and to those registered for a study programme established through transnational arrangements should be appropriate, accurate, consistent and reliable.
- **5.** Proficiency of staff members in terms of qualifications, teaching, research, and other professional experience.
- **6.** TNE arrangements should encourage the awareness and knowledge of the culture and customs of both the awarding institutions and receiving country among the students and staff.
- **7.** Responsibility of the awarding institution for the agents appointed to act on behalf of the awarding institution or its partner institution.
- **8.** Responsibility of awarding institutions for issuing the qualifications resulting from their transnational study programmes.
- **9.** Comparability of admission, teaching/learning activities, examination and assessment requirements to those specific programmes delivered by the awarding institution.
- **10.** Comparability of the academic workload among transnational study programmes and awarding institution study programmes.

¹² Lantero, L., Finocchietti, C., & Petrucci, E., <u>Substantial differences</u>. A glimpse of theory and practice, 2021, p. 16.

11. Compliance of qualification assessments with the Council of Europe/UNESCO Recognition Convention and its subsidiary texts.

The Diploma Supplement, as a tool of transparency, provides clear indications on information that should be provided in case of qualifications awarded in the framework of TNE arrangements. More specifically, information should be provided regarding the name of the qualification (point 2.1: "If the qualification is a joint/double degree or it was earned under a transnational or borderless education arrangement, this should be indicated" 13), the name and status of the awarding institution (point 2.3: "If the provider is transnational or borderless, this should be clearly noted" 14) and name and status of the institution administering the studies, if different (point 2.4: "Cases are known in which a higher education institution entitles another institution to deliver its programmes and issue its qualifications through a "franchise" or some type of "validation", "affiliation", etc. In some cases, a branch campus may be located in a different country. If this is the case, it should be indicated here. If there is a difference between the awarding institution and the institution delivering the programme leading to the qualification, indicate the status of both" 15).

Looking to practices, so far there is no systematic analysis of how the recognition of qualifications awarded through TNE works in practice. While in the first report on "Monitoring the implementation of the Lisbon Recognition Convention" (2016)¹⁶, the only reference to TNE is linked to the recognition of joint degrees, in the second Monitoring report (2022)¹⁷ the third part is dedicated to transnational education. In particular, States parties to the Convention have been asked the following questions:

- O Do you make the recognition of qualifications issued by foreign educational institutions operating in your territory contingent upon specific requirements? (Question 6)
- Is the list of foreign TNE institutions operating in your country published and available? (Question 7)
- O Is a list of your official TNE institutions operating abroad published and available? (Question 8)

According to the answers collected from the State parties to the LRC on transnational education, what emerges is the need to focus on quality assurance and evaluation of programmes, to "safeguard the interests of students, employers and others who may be concerned by qualifications awarded through transnational arrangements". In the report, it is also underlined the variety of definitions lying behind the phenomena of transnational education, which makes the recognition of qualification awarded from TNE still an object of further cooperation.

In the Global Convention on the Recognition of Qualifications concerning Higher Education transnational education is defined as "cross-border education", intended as:

"All modes of educational delivery which involve the movement of people, knowledge, programmes, providers and curriculum across States Parties' borders, including, but not limited to, quality-assured international joint degree programmes, cross-border higher education, transnational education, offshore education and borderless education".

The recognition process of qualifications awarded in the framework of TNE programmes is described as follows:

- "Higher-education qualifications acquired through cross-border education with international joint degrees or through any other joint programme undertaken in more than one country, of which at least one is a State Party to this Convention, shall be assessed according to the rules and regulations of the State Party in which recognition is sought, or of the constituent unit thereof, using the same criteria as those applied to qualifications acquired through programmes undertaken in a single country" (Art. V.3)
- "Each State Party may make the recognition of higher-education qualifications acquired through cross-border education or through foreign educational institutions operating in its jurisdiction contingent upon specific requirements of the legislation or regulations of the State Party, or of the constituent unit thereof, or upon specific agreements concluded with the State Party of origin of such institutions" (Art. V.6)
- "Documented or certified partial completion of higher-education programmes delivered through cross-border education with international joint degrees or any other joint programme undertaken in more than one country, of which at least one is a State Party to this Convention, will be assessed according to the rules and regulations of the State Party, or of the constituent until thereof, using the same criteria as those applied to partial studies acquired in a single country" (Art. VI.3)

¹³ The Committee of the Convention on the Recognition of Qualifications concerning Higher Education in the European Region, Revised template for Diploma Supplement, 2019.

¹⁴ Ibid.

¹⁵ Ibid.

¹⁶ Ibid.

¹⁷ Ibid.

STATE OF PLAY ON THE IN THE 7 COUNTRIES

This chapter provides an overview of TNE in the 7 EU countries starting from articles IV.9 and VI.5 of the LRC and placing particular emphasis on the following topics:

- O Policy context, including the existence of specific requirements based on which qualifications issued by foreign educational institutions operating in the 7 countries are evaluated (i.e., national legislation, specific agreements, etc.).
- O Types of TNE institutions operating in the national context.
- Recognition of qualifications issued by TNE institutions.
- O Information made publicly available (list of TNE institutions operating in the country published and available).
- O Good practices.



Policy context

Understanding of TNE is in line with the LRC and its Subsidiary Text, Code of good practice in the provision of TNE. The definition of TNE used in Croatia is the one provided in the text of the Revised code of good practice in the provision of transnational education:

"Transnational education – All types and modes of delivery of higher education study programmes, or sets of courses of study, or educational services (including those of distance education) in which the learners are located in a country different from the one where the awarding institution is based. Such programmes may belong to the education system of a State different from the State in which it operates, or may operate independently of any national education system".

The Croatian higher education system is regulated by the new Act on Higher Education and Scientific Activity (Official Gazette no. 119/22) adopted in October 2022 and new Act on Quality Assurance in Higher Education and Science (Official Gazette no. 151/22) which entered into force in December 2022. Act on Quality Assurance in Higher Education and Science regulates internal and external quality assurance system at the national level and activities of the Agency for Science and Higher Education (ASHE) as a public institution in the Republic of Croatia tasked with quality assurance and improvement in science and higher education. External quality assurance procedures carried out by ASHE share some common characteristics, but as the processes differ in scope, goals and methodologies, there are certain differences in their outcomes and implementation, as well.

Procedures and steps of each type of external evaluation are available on ASHE's website along with detailed information.

The term 'transnational education' is not specifically covered by the legislation on higher education.

Types of TNE institutions operating in the country

The type of TNE institutions operating in Croatia is the one of branch campuses: with these regards is important to mention the Rochester Institute of Technology.

Recognition of qualifications issued by TNE institutions

Recognition of higher education qualifications issued by foreign universities operating in the Croatian territory is also in line with the LRC and its Subsidiary Text – Code of good practice in the provision of TNE. Croatia ratified the LRC in 2002 with Law on Ratification of the Convention on the Recognition of Higher Education Qualifications in Europe (Official Gazette, 9/2002 and 15/2002).

By applying LRC and its Subsidiary Text, Croatia regulates recognition of higher education qualifications by the Act on Recognition and Assessment of Foreign Educational Qualifications (Official Gazette 69/2022).

In accordance with the previously mentioned legal framework, recognition of higher education qualifications issued by foreign universities operating in the Croatian territory is carried out case by case.

List of TNE institutions available

The Directory of Study Programmes lists all accredited higher education institutions and study programmes in the Republic of Croatia (there is no list specifically for TNE).



Policy context

Higher Education in France is overseen by the Ministry of higher Education and Research through different laws and decrees "Livre VII: Les établissements d'enseignement supérieur (Articles L711-1 à L777-2) - Légifrance (legifrance.gouv.fr)". Through the implementation of the article VI.5 of the LRC (Lisbon Recognition Convention), France takes charge of validating academic degrees provided by foreign universities within the country. This involves making the recognition process conditional upon the completion of an accreditation procedure designed for the specific foreign institution.

The Decret n°2000-941 du 18 septembre 2000 with the "Publication of the Convention on the Recognition of Qualifications concerning Higher Education in the European Region, completed in Lisbon, 11 April 1997 ratified the LRC in France.

There is no specific decree or law allowing foreign institutions to operate in France in a general sense. Foreign establishments wishing to conduct activities in France must comply with the applicable French laws and regulations. However, certain specific activities could be governed by international agreements, bilateral conventions, or memoranda of understanding between France and other countries. For instance, in the field of higher education, there might be agreements between France and other countries to facilitate the recognition of foreign degrees and to allow foreign higher education institutions to offer programs in France.

As previously indicated, it is essential for the institution and its programs to hold official recognition within the foreign reference system. The entry requirements and qualification validation procedures should closely correspond to those practiced by institutions operating in France. Furthermore, the stipulated criteria for teaching staff and the established frameworks for conducting educational activities within French territory should be well-suited for their intended purposes.

Types of TNE institutions operating in the country

Foreign higher education institutions in France have a specific legal status that allows them to operate within the French territory and offer academic programs. The institutions operate under different statuses:

- O Partner Higher Education Institutions: partnerships with French universities to offer joint programs or student exchanges. These programs are delivered in collaboration with a French university and jointly recognized.
- Foreign Campuses: foreign universities that establish campuses in France with an academic program similar to those in their home country. These campuses are subject to French regulations and can confer degrees recognized in France.
- Branches or Institutes: branches or institutes in France to offer specific courses or programs.
 These entities might operate under the oversight of the parent institution and are subject to French laws.
- O Private Foreign Institutions: private foreign higher education institutions that operate independently and might be recognized by French authorities and authorized to confer degrees.
- O Bilateral Agreements: regarding mutual recognition of degrees and the establishment of foreign higher education institutions on French soil.

Regardless of their status, foreign higher education institutions in France need to adhere to education regulations and standards, and the degrees they confer might undergo a recognition process by French authorities. Students interested in these institutions should verify the recognition and quality of the programs offered before enrolling.

In France, the application of article VI.5 of the LRC pertains to the regulations governing the admission of foreign higher education institutions. As stated earlier, these institutions and their academic offerings must hold recognition or accreditation within their native

education system. Concurrently, they must satisfy specific benchmarks evaluated by French establishments. This dual process aims to secure the acknowledgment of degrees conferred by these foreign educational institutions, both within France and on a global scale.

List of TNE institutions available

To date, no comprehensive list of Transnational Education (TNE) institutions beyond those provided by the Ministry of Foreign Affairs (MAE) has been identified. The existing records primarily feature French institutions, with the exception of the *Centre d'Etudes Franco Américain de Management*, representing a French American institution.

French higher education institutions abroad

France delivers more than 600 programmes abroad: 140 physical setups which include franchises (62), branch campuses (40) or joint ventures (38). About 330 French degrees are delivered with partner institutions abroad. At least 138 distance learning programmes are followed by learners outside of France. A geographical analysis of the data collected reveals that Africa and Asia are the prevalent regions for TNE activities. A total of 37,000 active enrolments were reported in the French offshore programmes. The countries hosting the highest numbers of French programmes are Morocco, Vietnam, China, Lebanon, and Tunisia. Joint ventures account for the largest enrolments (29%), followed by degrees delivered through partnerships with foreign institutions (28%).

The following types of TNE institutions, the five modes of delivery identified in the report by France Stratégie fall into two categories:

- 1. Physical presence overseas:
 - **a)** International branch campuses (e.g. HEC Paris in Qatar, Sorbonne Abu Dhabi, ESSEC Singapour, etc.)
 - **b)** Joint-ventures (e.g. Centrale Pékin, Institut franco-chinois de l'énergie nucléaire, Institut Sorbonne-Kazakhstan, etc.)

- c) Franchised institutions (e.g. Vatel, ESMOD).
- 2. Decentralised programmes:
 - **a)** Courses delivered by a French higher education institution within a partner institution abroad (e.g. Université d'Égypte, Université Galatasaray à Istanbul, etc.).
 - b) Distance learning.

List of French institutions operating abroad available

The list of French institutions operating abroad is available online: Implantation of French Higher Education Institutions abroad (campusfrance.org). Two examples of a French institution operating in several countries are *Institut Vatel and Le Cordon Bleu*.



Policy context

The Greek government has introduced a legislation draft targeting to have a new law in force by March 2024, regarding the establishment and operation of Non-State-Non-Profit universities in Greece, possibly as branches of foreign universities. In order to be considered, a university will have to operate under strict establishment criteria with a minimum of three schools and minimum number of 30 professors with PhDs. The responsibility for examining the files both in the building infrastructure and in the curriculum but also in the competence of the professors will be the Hellenic Authority for Higher Education, with the state having no reason to intervene in the context of the operation of these institutions.

Article 16 of the Hellenic Constitution states that "the establishment of higher education institutions by private individuals is prohibited". The degrees awarded by foreign Universities after having completed a study program in a College on the basis of an agreement, are not recognized academically by DOATAP. Also, according to article 308 of the L. 4957/2022 "Recognition of academic degrees, according to this law, is possible provided that all the studies are carried out outside the Greek territory, unless the studies done in the Greek territory were done in a public Higher Education Institution (HEI)".

However, Presidential Decree 38/2010 "Adaptation of Greek legislation to Directive 2005/36/EC of the European Parliament and of the Council of 7 September 2005 on the recognition of professional qualifications and other matters" (Government Gazette 78), as amended and still in force, incorporates all the directives for the professional recognition of such degrees.

Types of TNE institutions operating in the country

Currently, transnational education diplomas and degrees are mainly offered by franchised institutions (called "Colleges") in Greece. Colleges are educational institutions of non-formal post-secondary education. They provide study programmes for which they are required to

have validation and franchise agreements with higher education institutions (Universities) abroad, recognised by the competent authorities in the country of residence. The studies provided in the above context lead to a first degree (bachelor) of at least three years of study, to a postgraduate degree (master) or to a doctoral degree. Colleges offer exclusive educational services under the above agreements. Colleges can also provide studies, provided that the specific study programmes have received accreditation from international certification bodies.

Recognition of qualifications issued by TNE institutions

The recognition of professional equivalence of a formal higher education degree of a Member State of the European Union with that awarded under the domestic education system, in accordance with paragraph 3 of article 2 (PD 38/2010), enables the beneficiary to gain access to Greece and to engage in a specific economic activity as an employee or self-employed worker with the same conditions and terms as the holders of comparable degrees of the domestic educational system, except in cases where increased academic qualifications are required and especially for positions of university professors, researchers and specialists.

List of TNE institutions available

There is a complete list of colleges which can be found at this link.



Policy context

The Lisbon Recognition Convention was ratified in Italy with the Law n.148 of 11 July, 2002: "Ratification and execution of the Convention on the Recognition of Qualifications concerning Higher Education in the European Region, completed in Lisbon, 11 April, 1997, and regulations for adaptation in national law"¹⁸.

By applying article VI.5 of the LRC¹⁹, Italy regulates recognition of academic qualifications issued by foreign universities operating in the Italian territory, subordinating the possibility of access to recognition procedures to a procedure of accreditation specific to the foreign institution, as established by Decree n. 214 of 26 April, 2004: "Regulation containing criteria and procedures for foreign institutes of higher education operating in Italy with a view to recognition of the qualification issued by them (implementation of article 4 of Law n.148 of 11 July, 2002)²⁰".

As stated in article 2²¹, the institution and its programmes must be fully officially recognised in the foreign reference system, the access criteria and the recognition of qualifications completely in line with that of the institutions operating in the foreign system, as well as the requirements in place for the teaching staff, and the structures identified for carrying out teaching activities in Italy must be adequate for the purpose.

The Law n. 4 of 14 January 1999²², article 2, paragraphs from 1 to 5 regulates **foreign university and higher education institution filiations in Italy**. In paragraph 1, "filiations" in Italy of foreign universities and higher education institutions are meant to administer part of a study

programme in Italy (for instance one semester) and addressed to students already enrolled in their respective universities or higher education institutions. Paragraph 2 establishes that, before starting their activities, filiations in Italy are authorised by the Ministry for Universities and Research, the Ministry of the Interior, and the Ministry of Foreign Affairs and International Cooperation, after a check of the requirements and criteria. The following Ministerial directive of 23 May 2000 states the authorisation criteria for the activities of filiations of foreign universities and higher education institutions in Italy. Among the documents to be submitted to the Ministry for Universities and Research, the Ministry of the Interior, and the Ministry of Foreign Affairs are: copy of the institution's charter, copy of the institution's act deliberating the establishment of a filiation in Italy, copy of the last financial statement, list of the programmes taught in the university in the home country and the subjects intended to be taught in Italy.

As previously mentioned, law n. 148 of 2002 incorporates the LRC within the Italian law system. Art.4²³ establishes that article VI.5 of the Convention is regulated by further ministerial regulation.

Types of TNE institutions operating in the country

The following types of TNE institutions operate in Italy:

- O Branch campuses.
- O Filiations (regulated by Law n.4 of 14 January 1999)²⁴.
- Off-shore institutions.
- O Multinational corporate universities.
- O Distance learning universities (regulated by Ministerial decree 17 April 2003).

¹⁸ Ibid.

¹⁹ Ibid. art. VI.5

²⁰ Ibid

²¹ Ibid ort

lbid. art. 2, par.1-5

^{23 &}lt;u>Ibid</u>. art.4

²⁴ Ibid.



List of TNE institutions available

The list of TNE institutions operating in Italy is available online: "Italy and transnational education" (2004). An example of international institution operating in Italy is the European University Institute – EUI²⁵.

Good practices

The Ministerial Decree n. 214 of 26 April 2004²⁶ represents a good practice of the implementation of the article VI.5²⁷ of the LRC in Italy, setting the criteria for the establishment of foreign higher education institutions within the Italian territory. As stated above, the institution and its programmes must be accredited/recognised in the educational system of reference, and at the same time, must fulfill specific requirements checked by Italian institutions. This is meant to ensure the recognition of qualifications awarded by TNE institutions in Italy.

Policy context

Regarding higher education in Portugal, TNE are not allowed especially while operating in a franchise mode (Lei n.º 46/86, de 14 de outubro), therefore all Higher Educations institutions and/or any type of higher formations provided must be recognized and accredited by the competent authorities. For an higher education institution to operate in Portugal must be recognized by a specific law, their degrees approved by the Agência de Avaliação e Acreditação do Ensino Superior (A3ES) and registered in Direção-Geral do Ensino Superior (DGES). Any institution operating outside of that context, without the legally mandatory recognition, their degrees or their formations are not official degrees within the structure of the Portuguese higher education system. At the moment, it is not allowed to foreign Higher Education institutions to settle into Portuguese territory and award degrees according to a foreign Higher Education System. The same applies for Portuguese Institutions that operate abroad. In the eventuality of their existence, their degrees and diplomas awarded will have no effect in Portugal and cannot be linked to the Portuguese higher education system.

Types of TNE institutions operating in the country

It must be mentioned that the only exception made is to the European University Institute that works has an International HE Institutions or an institution which do not officially belong to any national higher education system. In Portugal there is specific paragraph in the Decree-Law 66/2018 that automatically recognises the diplomas and degrees issued by them.

Recognition of qualifications issued by TNE institutions

The same is applicable when we think of the recognition procedure in Portugal regulated by the Decreto-Lei 66/2018 where franchise degrees are not eligible for recognition. It is mandatory for the Automatic recognition, or for any other type of recognition, that the foreign institution is recognized by the competent authorities of the foreign country and that the degree awarded is linked to the official system of higher education of the same country. If a degree

²⁵ More information on Italy country profile in the ENIC-NARIC website: https://www.enic-naric.net/italy.aspx

^{26 &}lt;u>Ibid</u>.

²⁷ <u>Ibid</u>. art. VI.5



is presented has part of a franchise institution the following, at first, will not be considered for evaluation. Nevertheless, the Portuguese legislation is straightforward in the matter of automatic recognition for joint degrees while having, or not, a Portuguese institution on the consortium. So joint degrees and international partnerships of higher education formations between recognized higher education institutions will always be eligible for recognition. There is also a specific legislation - Decreto-Lei n.º 67/2005 - for the recognition of Erasmus Mundus degrees that allows the circulation of foreign degrees in Portugal with no need of double certification.

Policy context

Slovenia understands TNE in line with the LRC and its Supplementary act Code of good practice in the provision of transnational education. Especially with the principle that transnational arrangements should comply with the national legislation in both, receiving and sending countries.

The Higher Education Act (33. article c) Zakon o visokem šolstvu (ZVis) (pisrs.si) defines and explains TNE as follows:

"The term "transnational higher education" pursuant to this Act shall mean all forms and methods of higher education in which an officially recognised study programme is carried out entirely or in part in a country other than that in which the institution responsible for the higher education programme has its registered office.

In the Republic of Slovenia, transnational higher education may be carried out or organised on the basis of a contract between a higher education institution accredited in the Republic of Slovenia and a foreign higher education institution carrying out officially recognised study programmes and issuing public documents in the country in which it has been established.

In the Republic of Slovenia, transnational higher education programmes may also be carried out by a foreign higher education institution or other foreign institution if the competent authorities of the country where the institution responsible for the higher education programme has its registered office recognise that if a transnational higher education programme is carried out the institution responsible for that programme and the programme itself are part of their higher education system, which shall be verified by the Slovenian Quality Assurance Agency for Higher Education before the transnational education programme is carried out.

Higher education institutions accredited in the Republic of Slovenia in accordance with this Act may carry out transnational higher education abroad on the basis of a contract with an appropriate higher education institution abroad and may award Slovenian public documents.

The detailed conditions, methods and forms of transnational higher education, the compulsory elements of a contract on the provision of transnational higher education referred to in paragraphs two and four of this article, and the method for determining whether the conditions referred to in paragraph three of this article have been fulfilled shall be determined by the Slovenian Quality Assurance Agency for Higher Education.

A document certifying the completion of transnational higher education carried out in the Republic of Slovenia as a part of the foreign higher education system shall be considered a foreign document and shall be subject to the procedure for the evaluation or recognition of education in the Republic of Slovenia."

Types of TNE institutions operating in the country

In Slovenia operate and were operating the following types of TNE institutions:

- Franchised institution
- O Branch campus

The detailed conditions, methods and the compulsory elements of a contract are determined by the Slovenian Quality Assurance Agency for Higher Education (SQAA-NAKVIS), which is also responsible for maintaining a public record of transnational education. Further details on transnational education with contract and past collaborations with contract can be found at Javna evidenca visokošolskega transnacionalnega izobraževanja – VTI, only in Slovene: Javne evidence | NAKVIS

Recognition of higher education qualifications issued by TNE institutions

Recognition of higher education qualifications issued by foreign universities operating in the Slovenian territory is also in line with the LRC and its Subsidiary Text – Code of good practice in the provision of TNE. Slovenia ratified the LRC in 1999 with Act Ratifying the Convention on the Recognition of Qualifications concerning Higher Education in the European Region (Official Gazette 45/1999).

By applying LRC and its Subsidiary Text, Slovenia regulates recognition of higher education qualifications by The Assessment and Recognition of Education Act - Zakon o vrednotenju in priznavanju izobraževanja (Official Gazette 87/2011, 97/2011 and 109/2012).

In accordance with the previously mentioned legal framework, recognition of higher education qualifications issued by foreign universities operating in the Slovenian territory is carried out case by case.

List of TNE institutions available

Web page of SQAA-NAKVIS also contains informative list of transnational education without contract (Seznam izvajanja VTI brez pogodbe), only in Slovene: VTI, Skupni študijski programi INAKVIS

On the level of short-cycle higher vocational (tertiary) education transnational education is not especially defined in the legislation. Nevertheless, Slovene short-cycle higher vocational (tertiary) institutions can have dislocated units abroad and joint programmes among Slovene and foreign institutions are allowed.



Policy context

Transnational education is regulated in Spain by the Organic Law, 2/2023, of 22nd of March, which is the legal framework for Higher Education in the Spanish Education system.

Article 10 indicates that the Government, after consent of the University Council (Consejo de Universidades), is responsible for international degrees and studies accreditation. The processes for the recognition of foreign qualifications are regulated by Royal Decree 889/2022, of 18th of October. The recognition process must be in line with European Higher Education Area principles, and in accordance with the Lisbon Recognition Convention.

Another goal included in the above-mentioned Law is the internationalization of the universities. As stated in article 23, universities in Spain will foster the internationalization of instruction, research, professional development, staff, and study programs. The Ministry of Universities, alongside the autonomous regions and the universities, will articulate the necessary steps to promote the internationalization of their educational system.

The Public Administrations and the universities in Spain will facilitate the implementation of interuniversity bonds as well as the participation in international projects in collaboration with Higher Education institutions from foreign countries.

The universities in Spain will encourage the internationalization of their study plans, and official and non-official degrees throughout the implementation of joint degrees and programs.

Article 29 of the Organic Law 2/2023 authorizes the universities to create overseas institutions, which can act as internationalization catalysts of the Spanish Universities, in collaboration with the State Foreign Service, according to their regulation. The foundation and suppression of university institutions abroad is competence of the Government Council of the university

and must be approved by the autonomous region, after a positive report issued by the Ministry of Universities and the Ministry of Foreign Affairs, European Union, and Cooperation.

The Spanish Service for the Internationalization of Education (SEPIE) plays a pivotal role in promoting and supporting internationalization of the Higher Education. Since 2015 SEPIE has also been responsible for the promotion of Spanish universities overseas.

Types of TNE institutions operating in the country

The National Agency for Quality Assessment and Accreditation (ANECA) notes that Spain has 84 universities (50 public, 34 private) and that almost all of them are engaged in TNE (either as participants or providers), mainly through distance learning, joint programs or double degrees. Authorised foreign centers can be found in the Register of Universities Centers and Diplomas (RUCT in Spanish).

The process for accrediting new programs (or new HEIs) can be complex, involving national and regional accreditation. Quality assurance for bachelors, master's and doctoral degrees is similarly complex, involving three stages undertaken by ANECA and 10 regional quality assurance agencies. Qualifications obtained through TNE programmes offered in Spain can be recognized, providing that they are from fully accredited teaching entities of foreign universities.

When talking about transnational education at a higher education level, we must refer also to the European Universities. This is a proposal of the Commission for the creation of a *European Education Area* by 2025 within the *European Universities Initiative*, and *the European Strategy for Universities* which is supported by the Erasmus + call. At present there is a total of 44 European Universities alliances involving 430 higher education institutions in 35 countries. Spain participates with 31 Spanish universities.

Regarding the types of TNE institutions operating in Spain we can classify them into:

- O Branch campuses
- Franchise Institutions/Programmes
- O International HE Institutions

Recognition of qualifications issued by TNE institutions

Higher Education qualifications obtained in TNE centres need to be recognized by one of the processes of recognition regulated in Royal Decree 889/2022, to get professional or/and academic rights in Spain. This regulation also reconfirms the status of the four-year (240 European Credit Transfer System (ECTS) credit) undergraduate degree system and recognition of degrees by foreign universities that have signed an agreement with Spain, three-year (180 ECTS credit) degrees from countries within EHEA fall into this category, too.

List of TNE institutions available

The list of TNE institutions operating in Spain is not available on-line, however, some of these higher education centres have already been included in the Register of Universities, Centres and Diplomas (RUCT). The RUCT is a free open online tool that is constantly updated, and the foreign centres already included can be found under the authorized centres of their corresponding autonomous region.

TNE that have been authorised to provide their degrees are registered in the registers of the authonomous regions. Their status can be checked in many cases in the Register on non University Centers RCD in Spanish Buscar centros docentes no universitarios | Ministerio de Educación, Formación Profesional y Deportes (educacionyfp.gob.es).

Country	National legislation	Status of the institution	Types of institutions	Available list
Croatia	There is no specific legislation on TNE, but the topic is regulated by legal texts dealing with: QUALITY ASSURANCE Act on Higher Education and Scientific Activity (Art. 64), 2022 Act on Quality Assurance in Higher Education and Science (Art. 16), 2022 LRC RATIFICATION LAW Law on Ratification of the Convention on the recognition of the Higher Education qualifications in Europe, 2002 Act on Recognition and Assessment of Foreign Educational Qualifications, 2022	 Join studies shall be accredited before the Agency or another international accreditation agency in the EU which is registered in EQAR. Compliance with procedures and standards defined by the European Approach for Quality Assurance of Joint Programmes. 	O Branch campuses	HIGHER EDUCATION There is not a specific list of TNE programmes offered in Croatia, but there is an available lists of accredited higher education institutions and study programmes, which can be found on the website of the Directory of Study Programmes
France	There is no specific decree or law allowing foreign institutions to operate in France in a general sense, but there are several agreements signed between institutions. LRC RATIFICATION LAW O Decret n°2000-941 du 18 septembre 2000	 Official recognition within the foreign reference system. Entry requirements and qualification validation procedures should closely correspond to those practiced by institutions operating in France. Institutions offering TNE programmes must satisfy specific benchmarks evaluated by French establishment. 	TNE INSTITUTIONS IN FRANCE: O Partner HEI O Foreign campuses O Branches or Institutes O Private Foreign Institutions O Bilateral Agreements FRENCH SCHOOLS ABROAD: O Franchises O International Branch campuses O Joint ventures O Decentralised programmes O Distance learning	HIGHER EDUCATION No list available. The list of French institutions operating abroad is available online: Implantation of French Higher Education Institutions abroad (campusfrance.org).
Greece	O A legislation about the establishment and operation of Non-State-Non-Profit universities in Greece is in the drafting process	ON/A	• Franchised institutions ("Colleges")	A complete list of colleges can be found at this link.
Italy	The Article VI.5 of LRC is implemented at the national level through the: O Ministerial Decree n. 214 of 26 April 2004 O Law n. 4 of 14 January 1999 and Ministerial directive of 23 May 2000 LRC RATIFICATION LAW O Law n. 148 of 11 July 2002	 Institution and its programmes must be fully officially recognised in the foreign reference system. The access criteria and the recognition of qualifications completely in line with those of the institutions operating in the foreign system. Requirements for the teaching staff, and the structures identified for carrying out teaching activities must be adequate for the purpose. 	 Branch campuses Filiations Off-shore institutions Multinational corporate universities Distance learning universities 	HIGHER EDUCATION A list of institutions offering TNE programmes in Italy is available at this link.
Portugal	O Lei n.º 46/86, de 14 de outubro O Decreto-Lei 66/2018	N/A	 Institutions offering TNE programmes are banned in Portugal The only exception is represented by the European University Institute 	No list available

Country	National legislation	Status of the institution	Types of institutions	Available list
Slovenia	 The Higher Education Act (33. Article c). Implementation of International Education Programmes Act. Slovenia ratified the LRC in 1999 with Act Ratifying the Convention on the Recognition of Qualifications concerning Higher Education in the European Region (Official Gazette 45/1999). Slovenia regulates recognition of higher education qualifications by The Assessment and Recognition of Education Act - Zakon o vrednotenju in priznavanju izobraževanja (Official Gazette 87/2011, 97/2011 and 109/2012). 	 Transnational higher education may be carried out on the basis of a contract between a domestic accredited higher education institution and a foreign higher education institution carrying out officially recognised study programmes and issuing public documents in the country in which it has been established (conditions, methods, form of TNE and elements of contracts are determined by Slovenian Quality Assurance Agency for Higher Education). Transnational higher education programmes may also be carried out by a foreign higher education institution or other foreign institution if the competent authorities of the reference country recognise that the institution responsible for that programme and the programme itself are part of their higher education system, which shall be verified by the Slovenian Quality Assurance Agency for Higher Education. International programmes status of institution is important for recognition and assessment of education procedure; for entry of international programmes into the register the status of the institution is important in the cases of International Organization of the European School, based in Brussels ("EB Program") and International Baccalaureate Office in Geneva (the IB program). 	 Franchised institutions Branch campuses 	 Transnational education with contract and past collaborations with contract can be found at Javna evidenca visokošolskega transnacionalnega izobraževanja – VTI, only in Slovene: Javne evidence I NAKVIS Informative list of transnational education without contract (Seznam izvajanja VTI brez pogodbe), only in Slovene: VTI, Skupni študijski programi NAKVIS
Spain	TNE is regulated in Spain by the: O Organic Law, 2/2023, of 22nd of March The processes for the recognition of foreign qualifications are regulated by: O Royal Decree 889/2022, of 18th of October.	 Article 29 of the Organic Law 2/2023 authorizes the universities to create overseas institutions, which can act as internationalization catalysts of the Spanish Universities, in collaboration with the State Foreign Service, according to their regulation. The Spanish Service for the Internationalization of Education (SEPIE) plays a pivotal role in promoting and supporting internationalization of the Higher Education. 	O Branch campuses O Franchise Institutions/Programmes O International HE Institutions	The list of TNE institutions operating in Spain is not available on-line, however, authorised foreign centers can be found in the Register of Universities Centers and Diplomas (RUCT in Spanish).

CONCLUSIONS

"The "matching" articles IV.9 and VI.5 of the LRC require that recognition of qualifications issued by foreign educational/higher education institutions operating in a country different from the one they are located may be made contingent upon specific requirements. The 2007 Revised Code of Good Practice stresses the importance of focusing on the quality assurance and evaluation of programmes provided and qualifications issued. This is also meant to ensure transparency towards citizens who should have clear indications on the recognisability of the qualifications issued by the various types of TNE institutions."²⁸

As stated in the previous publication "Transnational Education in 4 countries of the Adriatic Region", developed within the AdReN project, the policy framework regarding institutions offering TNE programmes is variegated, and each country at the national level has different governance on the topic.

Data collected by each country give a broader overview about the status of transnational education, comprehensive of the governance structure, the policies in place and the context of foreign institutions operating at the national level. ENIC-NARIC centres from the countries involved in the analysis also contributed by giving input on how the recognition of qualifications issued by institutions offering transnational education programmes is done and, where possible, including the list of TNE institutions operating in the national context.

²⁸ CIMEA, Transnational education in 4 countries of the Adriatic region. Regulation, quality assurance and information provision, 2022. URL: https://www.adren.info/wp-content/uploads/2022/05/Pubblicazione-TNE.pdf

The variety in place between the countries involved in the study can be summarised on the level of legislation, types of institutions offering TNE, accreditation procedures.

Regarding **legislation**, all countries have regulations of TNE deriving from the implementation of the Lisbon Recognition Convention, set by the ratification laws of the Lisbon Recognition Convention. The only exception is represented by Italy, where the criteria and procedures for the international higher education institutions operating in Italy is regulated by the Ministerial Decree n. 214 of 26 April 2004.

Also concerning the **types of institutions** providing TNE programmes, the overall picture is variegated, with countries which have only one type of TNE at national level (e.g. Branch campuses in Croatia or franchised institutions in Greece), or mixed (as in the rest of countries involved in the research).

As far as **accreditation procedures** are concerned, in all countries they are set in line with the accreditation procedures established for the higher education institutions in the national system, and in line with the principles stated in the Revised Code of Good Practice in the provision of Transnational Education.

Quality assurance is, together with information on the status and recognition of the TNE institutions, a fundamental aspect for a qualification issued by such institutions to be recognised for the purposes of access to further studies or professional reasons. As a matter of fact, in all the countries involved in the study, foreign institutions and/or their programmes must be recognised in the hosting country, in order to offer recognisable qualifications.

This publication is focused on transnational education in higher education. The phenomenon of TNE in upper secondary school, whose dimensions are increasing, is object to specific regulation in some of the countries participating in the analysis. Nevertheless, the context is characterised by a certain complexity, linked to the different situations in place and related to the different approach used by competent authorities in finding regulatory measures, where this is the case.

This publication is the results of the project MAReN – Mediterranean Automatic Recognition Network, co-financed in the framework of the Erasmus+ programme of the European Union. The document includes the updated information previously included in the publication "Transnational Education in 4 countries of the Adriatic region. Regulation, quality assurance and information provision", realised in the framework of the Erasmus+ project AdReN – Automatic Recognition in the Adriatic Region, whose experience MAReN stems from.



Developed by:

CIMEA, ENIC NARIC Italy (coordinator)

Agency for Science and Higher Education (ASHE), ENIC NARIC Croatia

France Education International (FEI), ENIC NARIC France

Ministerio de Ciencia, Innovación y Universidades, NARIC Spain

Direção-Geral do Ensino Superior (DGES), ENIC NARIC Portugal

In collaboration with:

Associazione Professionale Italiana dei Credential Evaluator (APICE)
University of Naples Federico II

With the precious contribution of the AdReN project partner:

Hellenic National Recognition and Information Centre (DOATAP), NARIC Greece Ministry of Higher Education Science and Sport, ENIC NARIC Slovenia

Partners:



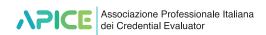








Third parties:













NNNEX I

TNE at upper secondary education level in 7 countries

TRANSNATIONAL EDUCATION IN THE ADRIATIC AND MEDITERRANEAN REGIONS



Regulation, quality assurance and information provision in 7 countries





NNNEX I

TNE at upper secondary education level in 7 countries

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INTRODUCTION

The number of international schools is increasing at global level, with a 52% growth in the last ten years. Europe has seen a 32,3% raise in its number of international schools and a 23% in the number of students enrolled¹. The steady enlargement of the phenomenon makes more urgent the need of sharing information, especially in the perspective of ensuring the automatic recognition of final upper secondary school qualifications giving access to higher education and issued by international schools.

In this publication, the term "international schools" will be broadly used to refer to the different existing nomenclature concerning the upper secondary schools issued by "foreign educational institutions" operating in a certain country, which could descend from bilateral or international agreements, promoted by international private entities or standardised programmes.

The recognition of qualifications issued by such institutions is regulated by the Lisbon Recognition Convention, which in the article IV.9 states that "For the purpose of admission to programmes of higher education, each Party may make the recognition of qualifications issued by foreign educational institutions operating in its territory contingent upon specific requirements of national legislation or specific agreements concluded with the Party of origin of such institutions".

¹ ISC Research, "White paper. Why more international schools keep opening. Factors impacting the demand and development of international schools". February 2023. URL: https://storage.pardot.com/752113/1676295990ZgjGIYNY/ISC_Research_white_paper_why_more_international_schools_keep_opening.pdf

With the general aim of supporting automatic recognition of these qualifications for the purpose of accessing higher education, the objectives of this annex are to:

- explore the phenomenon of transnational education at the secondary education level in the countries partner of the AdReN and MAReN projects;
- provide information on the legislation in place at national level on the recognition of final upper secondary school qualifications issued by transnational institutions;
- opresent the types of TNE institutions operating in the countries;
- o share the existing good practices at national level related to the recognition of final upper secondary school qualifications giving access to higher education, issued by international schools.

The document constitutes the annex of the publication "Transnational education in the Adriatic and Mediterranean regions. Regulation, quality assurance and information provision in 7 countries", realised in the framework of the MAReN project, co-funded by the European Union under the Erasmus+ programme and published in March 2024. The document offers information on regulation, quality assurance and information provision of international schools in the perspective of recognition of qualifications issued by institutions offering transnational education, giving access to higher education in the 7 countries involved (Croatia, France, Greece, Italy, Portugal, Slovenia, Spain).

The text is targeted at higher education institutions, ENIC-NARIC centres, competent authorities in the field of recognition and other entities who, for various reasons, are involved in the recognition of final upper secondary school qualifications giving access to higher education.

STATE OF PLAY ON THE IN THE 7 COUNTRIES



Policy framework

As concerns the governance of secondary schools in Croatia, the main bodies entitled to found secondary schools are the Republic of Croatia, counties and legal persons. Moreover, all secondary schools (409) have the approval of the ministry responsible for education for their work.

Schools founded by the Republic of Croatia (12), counties (350) or religious communities (16) are financed from the state budget, while other private schools are financed from their own resources (31). In most cases, regional authorities at the county level manage secondary schools. Decentralisation devolved some responsibilities for schooling to sub-national authorities, who can now co-finance schools alongside the central government, and oversee the infrastructure, capital investment and maintenance of schools in their territory. Subnational governments also have the authority to open and close schools.

According to **the Primary and Secondary School Education Act**², the school can implement an international curriculum upon the approval of the ministry responsible for education. An international curriculum is considered a standardised programmes of an international organisation or institution that is also implemented in other countries.

Moreover, according to the Act, schools can be established on the basis of international and bilateral agreement or another international act, like the ones stipulated with the United States of America, the Federal Republic of Germany and the French Republic.

With reference to the quality assurance mechanisms in place, according to the Primary and Secondary School Education Act, a school established on the basis of international and bilateral agreement or other international act, regulates itself the organisation and management of the

Primary and Secondary School Education Act (NN 87/08, 86/09, 92/10, 105/10, 90/11, 5/12, 16/12, 86/12, 126/12, 94/13, 152/14, 07/17, 68/18, 98/19, 64/20, 151/22, 155/23, 156/23): https://www.zakon.hr/z/317/Zakon-o-odgoju-i-obrazovanju-u-osnovnoj-i-srednjoj-wc5%A1koli.

school, monitoring the evaluation of student achievements and the type and level of education for establishing an employment relationship.

At the end of secondary education, according to the international curriculum, the international organisation or institution issues a public document to the student proving the completion of secondary education. The document is recognised in the Republic of Croatia for further studies.

Types of transnational institutions operating in the country

In the Croatian system, there are two different types of transnational institutions offering secondary education programmes, namely:

- schools established on the basis of **international or bilateral agreements** (with United States of America, Federal Republic of Germany or French Republic)
- o schools established **by the counties or private persons**, which have the permission of an international organisation and the Ministry to carry out an international curriculum (for example IB or British curriculum).

List of institutions

IB programmes:

- O XV. Gymnasium, Zagreb, Croatia
 - International Baccalaureate Middle Years Programme (IBMYP)
 - International Baccalaureate Diploma Programme (IBDP)

General regulations.

- O Private secondary school ASPALATHOS International school Split, Dugopolje, Croatia
 - International Baccalaureate Middle Years Programme (IBDP)
- O Gymnasium Varaždin, Varaždin, Croatia
 - International Baccalaureate Diploma Programme (IBDP)

General regulations.



- O The first Croatian Gymnasium in Rijeka, Rijeka, Croatia
 - International Baccalaureate Middle Years Programme (IBMYP)
 - International Baccalaureate Diploma Programme (IBDP)

Other international programmes:

- O Gymansium die Lehrpläne des Landes Thüringen Deutsche Internationale Schule in Zagreb, Zagreb, Croatia
- O Private Gymnasium Dr. Časl, Zagreb, Croatia
 - International Gymnasium Program in English language (Cambridge Assessment International Examinations)
- O American Academy Private secondary school, AMAC MEĐUNARODNA ŠKOLA, Zagreb, Croatia
 - Secondary school accredited by Middle States Association Commissions on Elementary and Secondary Schools
- O International British School Bright Horizons, Zagreb, Croatia
 - International education at the secondary level

Please, find more useful resources on transnational institutions operating at secondary school level in Croatia at the following webpage: Školski e-Rudnik (ŠeR).

French schools abroad

Policy framework

France has a broad range of middle and secondary schools abroad managed by AEFE (Agency for French Education Abroad). French schools abroad (Lycées français à l'étranger) are institutions established by the French government to provide French education to French expatriate communities and local students in various countries. These schools follow the French curriculum and are subject to French regulations and oversight. French schools abroad are overseen by the French Ministry of Foreign Affairs and the Agency for French Education Abroad (AEFE) under the law Loi n°90-588 du 6 juillet 1990 portant création de l'Agence pour l'enseignement français à l'étranger (1) - Légifrance (legifrance.gouv.fr).

Good practices

French schools abroad offer the same curriculum as schools in France, including subjects taught in French and adherence to the French educational system. Qualifications obtained from French schools abroad are recognised in France and often treated similarly to diplomas obtained within the French education system. French schools abroad play a crucial role in promoting the French language and culture globally.

Types of transnational institutions operating in the country

Those French Schools abroad are distinguished by different status:

- O Schools directly managed by the Agency for French Education Abroad (AEFE)
- O Conventional schools
- O Partner schools



List of institutions

French TNE abroad are located in 139 countries with 370 000 pupils (60% foreigners) and 8 600 teachers from the French Ministry of Education. The **Arrêté du 15 juin 2023 fixant la liste des écoles et des établissements d'enseignement français à l'étranger homologués - Légifrance** (legifrance.gouv.fr) lists them all.

Foreign Schools in France

Policy framework

Foreign schools in France are typically educational institutions established by foreign governments or organisations to serve the educational needs of expatriate communities. These schools often follow the curriculum and education system of their home country while operating within the legal framework of France. The recognition of qualifications obtained from foreign schools in France can vary. Some foreign diplomas might be recognised by French authorities, while others might require an equivalence process to determine their equivalence to French qualifications. Some foreign schools might seek accreditation from international educational organisations to ensure quality standards are met.

Policy framework

The Greek education system remains a fairly centralised system³. The essential competences for educational policy and administration are all centralised and the Minister of Education and Religious Affairs, who is responsible for them.

The detailed and timetabled programmes applied to the High School are drawn up by the Institute of Educational Policy (IEP), which, among other things, provides opinions or recommendations on matters concerning:

- a) secondary education curricula
- b) school books
- c) other teaching aids.

As regards secondary school education, management and governance fall under:

- the Ministry of Education, Religious Affairs and Sports (central level)
- the regional directorates of secondary education (regional level)
- the secondary directorates of education (prefecture level)
- o school units.

The national **Law 4862/1931** (Government Gazette Issue 156 A/7-7-1931) is regulating private international schools operating in Greece and which offer secondary schools programmes.

Natural persons (non-Greek citizens) or legal persons that do not live in Greece may establish bilateral agreements aimed at establishing secondary schools belonging to other education systems. The authorisation to establish and operate a private international school is subject to conditions defined by law. In Greece, nowadays, there are about 30 private international schools.

³ Organisation and governance of the Greek system: https://eurydice.eacea.ec.europa.eu/national-education-systems/greece/organisation-and-governance.

The Law 4142/2013 (Government Gazette Issue 83 A/9-4-2013) regulates the quality assurance mechanisms in place at the national level for the international schools operating in Greece. According to the law, the decisions of the Authority are notified to the Minister of Education and Religious Affairs, Culture and Sports. By the end of May of each year, the Authority prepares a report on the quality of primary and secondary education for the previous year, which is submitted to the Speaker of the Parliament and the Minister of Education and Religion, Culture and Sports.

As concern Private International Schools established in Greece, for each school of this specific category, the quality assurance mechanism of the foreign country of which the curriculum is been followed, is taken into consideration.

According to Greek legislation, the final school leaving diploma awarded by private international schools is considered equivalent to the Greek ones. The holders are eligible, if they wish, to participate in the Panhellenic exams in order to enter the Greek university.

Types of transnational institutions operating in the country

According to their curriculum, international schools are classified in:

- O International schools following the curriculum of the foreign country, which address mainly foreign nationals living in Greece
- O International schools with a Greek curriculum, which follow the same curriculum as Greek state schools, by placing emphasis on foreign language teaching and several other subjects
- O International schools with a Greek and foreign curriculum, which operate as two independent sections.

Moreover, the **School of European Education - Heraklion** is offering an International Baccalaureate in Greece.

Please, find more information about other schools offering International Baccalaureates in Greece at the following database: https://www.international-schools-database.com/in/athens-greece?filter=on&curriculum[]=IB.



Policy framework

Analysing first the status of secondary education institutions offering final school leaving qualifications in Italy, foreign schools are recognised by the Italian state by virtue of bilateral or multilateral cooperation agreements in the field of education or based on international programmes and initiatives.

Types of transnational institutions operating in the country

Among the types of transnational institutions operating in Italy, the following ones should be mentioned:

- foreign schools operating in the country on the basis of bilateral agreements, which explicitly provides for the recognition of qualifications,
- European Schools,⁴
- O schools authorised to issue the title of International Baccalaureate,
- o international schools (e.g. the International School of Trieste).

There are also institutions that fall into the category of "non-accredited private schools", that could be inserted in a register by the competent regional authorities and issue final qualifications without legal value in Italy, for the recognition of which a case-by-case assessment is required.

List of institutions

A comprehensive overview of the regulatory framework, the main characteristics and an updated list of foreign schools operating in Italy is reported in the document "Foreign schools in Italy and Italian schools abroad. Legislation, characteristics and recognition of qualifications"⁵.



Policy framework

Secondary school governance in Portugal is based on a framework of autonomy, administration, and management of public institutions for preschool, primary, and secondary education. The autonomy, administration, and management of school clusters and standalone schools are guided by the principles of equality, participation, and transparency. Administration and management are ensured by designated bodies responsible for upholding these principles. Governance bodies of school clusters and standalone schools include the following:

- a) The General Council
- **b)** The Director
- c) The Pedagogical Council
- d) The Administrative Council.

In Portugal, private and cooperative schools, as well as private institutions intending to offer foreign qualifications or international secondary-level educational programmes, must be authorised by the Ministry of Education, Science, and Innovation (MECI). Secondary-level qualifications (and basic level ones) they intend to offer must be recognised by MECI and accredited by the competent authorities.

Authorisation for operation must be requested in accordance with **Decree-Law No. 152/2013**, of November 4 — Statute of Private and Cooperative Education, which defines the legal framework applicable to private and cooperative non-higher education establishments.⁷

⁴ The Italian legislation acknowledges the regulatory development of the European schools, up to the most recent Law n. 151 of 6 March 1996, which ratifies in Italy the "Convention relating to the Statute of the European Schools", signed in Luxembourg on 21 June 1994 (https://www.normattiva.it/uri-res/N2Ls?urn:nir:stato:legge:1996-03-06;151).

⁵ L. Lantero, C. Finocchietti, E. Gitto, A. Garner, "<u>Foreign schools in Italy and Italian schools abroad. Legislation, characteristics and recognition of qualifications</u>", CIMEA DOC 135, July 2021.

⁶ The following answers were provided by the Portuguese authority for Education at pre-University levels, the Directorate-General for Education.

⁷ More information is currently available on the DGE website: https://www.dge.mec.pt/.

As concern secondary schools belonging to other education systems established in Portugal, these are regulated by the following bilateral agreements:

- O Lycée Français Charles Lepierre, Lisbon: Cultural, Scientific, and Technical Cooperation Agreement between the Government of the Portuguese Republic and the Government of the French Republic Decree-Law No. 28/71, of February 6;
- Deutsche Schule Lissabon (German School Lisbon) | Deutsche Schule zu Porto (German School Porto): Cultural Agreement between Portugal and the Federal Republic of Germany
 Decree-Law No. 46877/1966, of February 18;
- O Instituto Español Giner de los Ríos, Dafundo-Algés: Cultural Agreement between Portugal and Spain Decree-Law No. 654/70, of December 29.

Recognition of qualifications issued by such institutions at national level is conducted by the Directorate-General for Education based on government-approved legislation (Decree-Law No. 227/2005, of December 28; Ordinance No. 224/2006, of March 8; Ordinance No. 699/2006, of July 12).

Types of transnational institutions operating in the country

In Portugal, there are private and cooperative schools, some initiated by private initiatives (e.g., international educational institutions/organisations and/or groups) that offer international secondary education programmes, such as Cambridge International Education (CIE) and the International Baccalaureate Organization - IBO (Switzerland). The establishment and operation of such schools require MECI recognition, and this category also includes schools offering the national curricula of foreign countries, authorised by the relevant educational authorities.

As of now, there are no public or private schools in Portugal offering the European Baccalaureate Diploma. Indeed, this curriculum is only authorised in "European Schools" (Schola Europaea) or "Accredited European Schools."

Nevertheless, there are many private and cooperative schools offering the International

Baccalaureate Diploma Programme (IB DP), under the International Baccalaureate Organization - IBO (Switzerland).

List of institutions

There is not any official lists of international schools operating in Portugal available through national authorities. It is recommended to directly consult the Directorate-General for School Administration to learn more about a specific institution.

Good practices

The recognition system for secondary-level qualifications obtained through one-year foreign exchange programmes.



Policy framework

Ministry responsible for education is the competent authority for secondary education. International Education Programmes Implementation Act (Zakon o izvajanju mednarodnih programov s področja vzgoje in izobraževanja (Uradni list RS, št. 46/16)/ (courtesy translation) enables delivery of **the international primary and secondary programmes** operating in a foreign language in Slovenia.

This Act (article 1) regulates the conditions for the delivery of international programmes in the field of education, which in the Republic of Slovenia operate in a foreign language and have not acquired public validity in accordance with the Act governing the organisation and financing of education, namely:

- o an educational programme accredited in a foreign country (a foreign programme),
- the programme of the International Organization of the European School, based in Brussels ("EB Program")8.
- O the programme of the International Baccalaureate Office in Geneva ("IB Program")9.
- The delivery of these programmes is in principle not financed from Slovene public funds (exceptions can be co-financing of "EB Program" and "IB Program").

A foreign programme must be an accredited educational programme in the country of origin. A private kindergarten and school that implements such international programmes may start implementing the programme after entry in the register of private kindergartens and schools that implement international programmes. The register is kept by the ministry responsible for education¹⁰.

Good practices

The case of good practice is in article 5 of the International Education Programmes Implementation Act, which defines equality of finished IB Diploma and EB programmes with Slovene secondary school leaving qualifications.

- 5. člen (listina o izobraževanju) / Article 5 (education certificate):
- o "(1) A certificate issued by a school, providing an international program, is a foreign document and shall be evaluated and recognized in accordance with the Assessment and Recognition Act.
- O (2) Notwithstanding the previous paragraph, the certificate issued in the European Schools program and IB program is equal to the official document of education issued in publicly valid educational programs (secondary leaving qualification) in accordance with the law governing primary education, secondary education and matura"¹¹.

11 Unofficial translation of the articles. In original language: "(1) Listina o izobraževanju, ki jo izda šola, ki izvaja mednarodni program iz 1.

Slovenia ratified the Convention defining the Statute of the European Schools in 2004. Special provisions on some details regarding subjects, conversion of grades etc. are determined by Rules for transferring from the European Schools programme into the Slovenian education system (National Gazette of the Republic of Slovenia No. <u>25/17 http://www.pisrs.si/Pis.web/pregledPredpisa?id=PRAV12964</u>). The European Baccalaureate Certificate gives general access to all higher education programmes in Slovenia.

The IB Diploma is equivalent to the Slovenian general matura by The Matura Examination Act (Official Gazette of the Republic of Slovenia, no. 1/07 and 46/16-ZOFVI-K and 37/24). Slovenia has regulated providing of the IB programmes offered in Slovenia by The Rules on the delivery of the IB education programme (Official Gazette of the Republic of Slovenia, no. 67/04 in 44/08). Provisions determine transition to the Slovenian education system taking into account all subjects and grades, comparable to the Slovenian programme of gymnasia, conversion of IB grades into the Slovenian matura points, considering higher level of subjects and calculation of general success etc. The same rules apply to all IB Diplomas regardless of an accredited school provider. The IB Diploma gives general access to all higher education programmes in Slovenia.

¹⁰ Further details on Register zasebnih vrtcev in šol, ki izvajajo mednarodne programe (only in Slovene): Storitve Ministrstva za vzgojo in izobraževanje | GOV.Sl.

člena tega zakona, je tuja listina in se vrednoti in priznava v skladu z zakonom, ki ureja vrednotenje in priznavanje izobraževanja.

(2) Ne glede na prejšnji odstavek je listina o zaključku izobraževanja, izdana v programu evropske šole in programu IB, enakovredna javni listini o zaključku izobraževanja, izdani v javno veljavnih izobraževalnih programih v skladu z zakonom, ki ureja osnovnošolsko izobraževanje, srednješolsko izobraževanje in maturo".



Types of transnational institutions operating in the country

Different types of private transnational institutions can be found in the official register of private kindergartens and schools that implement international programmes.

The European Schools – Schola Europaea (www.eursc.eu) is an intergovernmental organisation, which has established, finances, and administers a small group of multilingual international schools, bearing the title "European School", which exist primarily to offer an education to the children of staff employed in the structures of the EU. They offer accreditation to other schools, bearing the title "Accredited European School", under national jurisdiction within EU member states to provide its curriculum (Nursery school, five years of Primary school and seven years of Secondary school).

General recognition of education, obtained in the European School programmes, is stipulated by the Convention defining the Statute of the European Schools.

IB – **International Baccalaureate Office** (Geneva; https://www.ibo.org/) is a non-profit organisation selling products and services to schools analogous to a franchise network. It offers four educational programmes: the IB Diploma Programme and the IB Career-related Programme for students aged 15 to 19, the IB Middle Years Programme for students aged 11 to 16, and the IB Primary Years Programme for children aged 3 to 12. All programmes or schools must be authorised by the IB.

Policy framework

As for the Spanish case, **Royal Decree 806/1993**¹² of 28th of May, regulates foreign teaching centres in Spain. There are also agreements of collaboration for foreign institutions to settle into Spanish soil and vice versa.

Types of transnational institutions operating outside the country

As mentioned above, we can find that **Royal Decree 806/1993** divides centres into two types:

- **1.** Centres that provide formal education at levels *equivalent to the compulsory levels* of the education system that can be:
 - **a)** Centres where studies of a foreign education system are taught, together with teachings of Spanish language and culture and, where appropriate, teachings of the languages of the Autonomous Communities.
 - b) Centres where only studies from a foreign education system are taught.
- 2. Centres offering formal education *equivalent to non-compulsory levels* of the Spanish education system.

As for the first type of centres, degrees obtained in these centres will be automatically recognised, while for the second type, their degrees will have to undergo a recognition process by the competent authority. Indeed, these centres must be recognised by the local government to operate and deliver their teachings, and they must be registered in the regional registers of **the Autonomous Communities**, and they are also included in the *Registro estatal de centros docentes no universitarios* (RCD). Other studies from non-authorised centres or programmes will not be recognised in Spain.

¹² Royal Decree 806/1993, 28th May: https://www.boe.es/buscar/act.php?id=B0E-A-1993-16128&p=20100312&tn=1.

We should also mention the **European Schools**¹³, which are educational establishments set up jointly by the governments of the Member States of the European Union (EU) throughout agreements¹⁴ to provide multicultural and multilingual education based on competence-based learning and with a European dimension. Their main purpose is to provide education for the children of officials of the EU institutions. The schools have the legal status of public educational establishments in the countries in which they are located. They provide preschool, primary and secondary education according to a specific curriculum supervised by the Board of Inspectors of the European Schools. Students can select a language from the different sections available, and at the end of their secondary education, they receive **the European Baccalaureate diploma**, which gives them the same rights as the official national diplomas and tests of the EU Member States granting access to higher education studies.¹⁵

agreements¹⁶ with non-university educational centres in different Latin American countries. There are currently centres in Argentina (2), Brazil, Chile (2), Colombia, Costa Rica, Ecuador, El Salvador, Guatemala, Mexico (2), Dominican Republic and Uruguay, coordinated by the Ministries of Education of Argentina, Brazil and Mexico. These centres¹⁷ include in their curricula, as additional subjects to those of their respective curricula, the subjects of Spanish Literature, Geography and History and, if their official language is other than Spanish - as is the case of Brazil - also Spanish Language. Students are granted the diplomas of *Graduado*

en ESO or Bachiller, regardless of the qualification awarded by the education systems of the countries in which they are located.

List of institutions

- O More information on Spanish centres operating abroad, and foreign centres in Spain can be found at the following link: *Centros docentes | Ministerio de Educación, Formación Profesional y Deportes* (educacionfpydeportes.gob.es)
- O To find out more about foreign centres operating in Spain which provide formal education equivalent to **Spanish compulsory and non- compulsory levels** please check: Registro estatal de centros docentes no universitarios (RCD) Centros
- O European School of Alicante (Spain): Escuelas Europeas | Escuela Europea de Alicante
- O Centres with collaboration agreements: Centros de Convenio Acción Educativa Exterior | Ministerio de Educación, Formación Profesional y Deportes.

¹³ Please, find the list of European Schools set up in Spain at the following link: https://www.educacion.gob.es/centros/buscarCentros?codaut=60&nombreaut=EXTRANJERO&codprov=00&tipocentro=6105.

¹⁴ Convenio por el que se establece el Estatuto de las Escuelas Europeas, hecho en Luxemburgo el 21 de junio de 1994, BOE-A-2004-8363: https://www.boe.es/buscar/doc.php?id=BOE-A-2004-8363.

¹⁵ For more information, please visit the European Schools webpage, at the following link: https://www.eursc.eu/en.

¹⁶ Please, find more information about these national collaboration agreements at the following link: https://www.educacionfpydeportes.gob.es/contenidos/ba/actividad-internacional/oficinas-centro-exterior/centros-docentes/centro-convenio.html.

¹⁷ Please, find the list of non-university centres at the following link: https://www.educacion.gob.es/centros/
https://www.educacion.gob.es/centros/
https://www.educacion.gob.es/centros/

Country	Specific legislation for international upper secondary school	Accreditation competent authority	Types of institutions	Automatic recognition of qualifications issued by such institutions	Available lists
Croatia	Yes. Primary and Secondary School Education Act	Centralised. By Ministry of Education	Bilateral agreements or international schools established by private entities or counties.	Yes	Yes
France	N/A	Ministry or international educational organisations	Bilateral agreements or international schools established by private entities	Depending on the typology of the document	No
Greece	Yes	Centralised. By Ministry of Education.	Bilateral agreements or international schools established by private entities	Yes	Yes (for IB schools)
Italy	Yes. Procedure.	Depending on the typology of school	Bilateral agreements or international schools established by private entities	Yes	Yes
Portugal	Yes	Centralised. By Ministry of Education.	Bilateral agreements or international schools established by private entities	Yes	No
Slovenia	Yes	Centralised. By Ministry of Education.	Bilateral agreements or international schools established by private entities	Yes	No
Spain	Yes	Centralised. By Ministry of Education.	Bilateral agreements or international schools established by private entities	Yes	Yes

CONCLUSIONS

The compared analysis of transnational education applied to upper secondary school in the 7 countries taken into consideration in the study presents elements in common and points of diversity, according to the specific national contexts. The findings are coherent and in line with the ones included in the publication "Transnational Education in the Adriatic and Mediterranean regions. Regulation, quality assurance and information provision in 7 countries", which focused on TNE institutions at the higher education level.

Indeed, data collected provides a diverse overview of the complexity behind transnational education in upper secondary education, in the countries involved in the analysis. From a general point of view, most of the countries have specific legislation at national level regulating the activity of international schools, and they recognise qualifications issued by them in line with the article IV.9 of the Lisbon Recognition Convention. The only exception is represented by France, where there is no specific regulation in place for international schools.

Looking at the different types of TNE upper secondary schools operating at national level, the existing typologies may be hence summarised into two different categories:

- O International schools based on bilateral or international agreements
- O Private international schools which offer international standardised curricula

Depending on the national legal framework, the competency for **accreditation of international schools** varies: the majority of countries has a centralised system, this is the case for Croatia, Greece, Portugal, Slovenia and Spain. In Italy the competence may fall under the Ministry or the regions depending on the typology of international school; in France the competence is upon the Ministry, but for private international schools' quality assurance is carried out by the international educational organisations offering the international programmes.

Almost all countries implement **automatic recognition** of final upper secondary school qualifications giving access to higher education, while some of them apply automatic recognition depending on the typology of the awarding institution. Automatic recognition of final upper school qualifications giving access to higher education is implemented upon the accreditation of the school, therefore quality assurance mechanisms are broadly considered a fundamental aspect prior to automatic recognition of qualification. In general terms, when the establishment of international schools is based on bilateral or international agreements, the automatic recognition of qualifications issued by the institutions falling under the agreement is foreseen in the agreement itself; while for the private international schools operating in the country automatic recognition is implemented is the awarding school is accredited at national level and operates under the conditions established by law.

The document represents a tentative exercise of information sharing on the topic of transnational education at the upper secondary school level, among the countries participating in the analysis. The complexity shown is also characterised by the different approaches and methodologies used at national level to implement the Lisbon Recognition Convention. The study here presented demonstrates that there is wide margin to improve policy harmonisation and enhance information sharing among the different countries, to support full implementation of automatic recognition of upper secondary qualifications giving access to higher education.

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Developed by:

CIMEA, ENIC NARIC Italy (coordinator)

Agency for Science and Higher Education (ASHE), ENIC NARIC Croatia

France Education International (FEI), ENIC NARIC France

Ministerio de Ciencia, Innovación y Universidades, NARIC Spain

Direção-Geral do Ensino Superior (DGES), ENIC NARIC Portugal

In collaboration with:

Associazione Professionale Italiana dei Credential Evaluator (APICE) University of Naples Federico II

With the precious contribution of the AdReN project partner:

Hellenic National Recognition and Information Centre (DOATAP), NARIC Greece Ministry of Higher Education Science and Sport, ENIC NARIC Slovenia

Partners:











Third parties:





