



GUIDELINES ON THE CROSS-BORDER PROVISION OF VOCATIONAL EDUCATION AND TRAINING

INTRODUCTION

Education International has long been concerned about the growing threats posed to education at all levels as a result of economic globalization and trade liberalization. Vocational education and training (VET)¹ is particularly vulnerable to these pressures. Once the primary responsibility of public institutions in many countries, the provision of vocational education and training now straddles the public, private and for-profit sectors. Meanwhile, the growing cross-border provision of VET is increasingly governed by commercial imperatives and subject to the rules of trade agreements like the General Agreement on Trade in Services (GATS).

The cross-border provision of vocational education and training refers to the movement of students, staff, providers, curricula, and services across national borders. Historically, cross-border VET was characterized primarily by development cooperation projects, and staff and student exchange programs. Today, however, commercial initiatives are a major feature of cross-border VET. This raises new issues and challenges for governments and for education stakeholders.

At the Fourth World Congress in Porto Alegre, Brazil in July 2004, Education International established a task force on globalization and vocational education and training to explore these issues and challenges. The task force presented its initial report and recommendations to the EI Executive Board in October 2006. The report asserted that the internationalization of education should be encouraged insofar as it advances knowledge and promotes cooperation and development. However, the task force emphasized that this cross-border exchange should be firmly based on educational values, and not commercial ones. Consequently, it was recommended that EI develop a set of guidelines for the cross-border provision of vocational education and training that, in contrast to GATS and similar trade agreements, would promote quality, accessibility, equity, and protections for the status and employment rights of staff.

The draft guidelines presented below are intended to address and counterbalance the threats posed by trade and investment agreements, not only to staff jobs and living standards, but to the quality of education and training students receive. If regulated solely on the basis of commercial rules, the cross-border provision of VET will undermine the character of education as a public good delivered through public institutions and on public service principles. The proposed guidelines, by contrast, are structured around the basic principle that education is a public good. The guidelines set out the conditions necessary to ensure that governments, institutions, staff and students have the means to determine, from an educational standpoint and on the basis of their own conditions and circumstances, the policies that are needed to ensure the preservation and promotion of quality, accessibility and relevance in VET.

¹ Alternative terms used internationally include technical and vocational education and training (TVET), vocational and technical education and training (VTET), technical and vocational education (TVE), vocational and technical education (VTE), and further education and training (FET).

Pinciples and Objectives

1. Education at all levels is devoted to human development and the progress of society. As such, education, including vocational education and training², should be viewed as a public good and not a private commodity. VET, provided locally or across borders, should be governed by strong public service principles that emphasize accountability, quality, access and equality of opportunity.
2. Governments should continue to play the lead role in funding and regulating a comprehensive, accessible and high quality vocational education system. The cross-border provision of VET should not be used as a means for governments to abdicate their responsibilities.
3. In all cases, education and training should provide individuals with a range of knowledge and skills that allow them to not only pursue meaningful work and adapt to changing occupational demands, but also to participate fully in all aspects of social life. As stated in the United Nations' *Universal Declaration of Human Rights*, " education shall be directed to the full development of the human personality and to the strengthening of respect for human rights and fundamental freedoms."
4. Vocational education and training should never be focussed solely and narrowly on the training of individuals for specific labour market tasks. It should, in addition to assisting students with the acquisition of practical skills, provide them with general knowledge and understanding. According to the UNESCO *Convention on Technical and Vocational Education* (1989):

Technical and vocational education programmes should meet the technical requirements of the occupational sectors concerned and also provide the general education necessary for the personal and cultural development of the individual and include, inter alia, social, economic and environmental concepts relevant to the occupation concerned.

5. The sharing of knowledge and skills, and the mobility of students and staff across borders is important to the development of vocational and technical education and should be encouraged. However, this international exchange and cooperation should be fair, should be sensitive to local needs, and should be based on educational values, not commercial imperatives.
6. The cross-border provision³ of VET should give priority to international cooperation between the North and South, as well as between countries of the South, in order to build and sustain the capacity of vocational education systems in the developing world.

² For the purposes of these guidelines, "vocational and technical education" refers to all forms and levels of the educational process involving, in addition to general knowledge, the study of technologies and related sciences and the acquisition of practical skills, know-how, attitudes and understanding relating to occupations in the various sectors of economic and social life.

³ For the purposes of these guidelines, cross-border provision of VET refers to the movement of students, staff, institutions/providers, programs, curricula and other VET services across national jurisdictional boundaries. It includes the cross-border supply of VET services through distance education and e-learning, and the establishment of offshore branch schools and franchising in other jurisdictions.

Accreditation and quality assurance

7. Cross-border provision of VET should respect the accreditation, recognition, and quality assurance requirements and procedures established by the relevant local authorities. Standards and criteria that have been established at the national level should be strengthened to take into account the cross-border provision of VET, and not diluted. Teachers must be included as essential partners in the development of these standards, along with other stakeholders.
8. At the institutional level, the primary importance of staff input into the determination of quality in the development, delivery and assessment processes of cross-border VET should be recognised.
9. Notwithstanding the provisions in trade and investment agreements to which they are a party, governments and relevant authorities should retain the right to maintain, adopt, and enforce measures related to qualification requirements and procedures, accreditation requirements and procedures, and quality assurance standards with respect to the VET sector.

Locally relevant content

10. Cross-border provision of VET should not be used to produce, promote or justify a standardization of curricula, materials or methods. There should be clear and effective protections for national, regional and indigenous cultures, and for the interests and expectations of students and staff. Where curricula, materials or methods used in one country are adapted for use in another, this adaptation should be carefully made with full regard to local conditions and needs, including the need to sustain cultural and linguistic diversity.
11. In all cases, governments and relevant authorities should exercise the right to maintain, adopt and enforce measures to ensure the relevance of VET content and to promote linguistic and cultural diversity. To pursue this goal, governments, institutions and relevant authorities should retain the ability to adopt policies and practices which favour or accord preferences to domestic VET providers.

Mobility of teachers, staff and students

12. The mobility of VET teachers, staff and students across borders should be encouraged when it contributes to the exchange of different types of knowledge, techniques, and pedagogical approaches and builds local capacity. However, policies adopted to promote mobility should not weaken labour market policies and practices, the employment rights of staff, or the rights of trade unions.
13. Governments, institutions and relevant authorities may maintain, adopt or enforce measures that require specified number of members of the governing boards, senior management, and staff of VET institutions be local nationals.
14. The danger of the "brain drain" of staff and students from the developing to the developed world needs to be recognized and explicitly addressed by governments and VET institutions. When students and staff from developing nations choose to

remain in the host country, governments and institutions should provide compensation to the affected country.

Cross-border investment in vet

15. Governments and relevant authorities should retain the right to maintain, adopt, and enforce measures to ensure that VET investment activity, where it is permitted, is undertaken in a manner consistent with domestic priorities and development goals. Where governments permit cross-border investment in VET, they may maintain, adopt or enforce requirements including, but not limited to, the following:
- a) to require a given level or percentage of domestic content in VET;
 - b) to require a specified level or percentage of general education as part of a VET program
 - c) to set quotas and limits on the number of overseas providers permitted to operate in its territory;
 - d) to require overseas providers operating in its territory to provide training to locals, to transfer technology, to provide educational services to disadvantaged communities and groups, and to meet universal service obligations;
 - e) to purchase, use or accord a preference to educational goods produced or VET services provided in its territory; and
 - f) to limit or restrict the type of legal entity permitted to operate in its territory.

Cross-border supply

16. Web-based and on-line VET provided across borders should be offered in ways appropriate to the needs of students, and at the same standard as traditionally delivered VET. It should be recognised that on-line delivery has limited usefulness for some groups of students and for the teaching of some subjects and therefore its use should meet strict criteria. It should be monitored by the relevant authorities, with the power to ensure that quality is maintained.
17. The employment and professional rights of staff working on the development, delivery and assessment of these forms of vocational education and training should be no less than those working in traditional modes, and this should be reflected in accreditation and quality assurance procedures.
18. The use of new technologies in cross-border VET should take account of the disparities in availability of software and hardware and the levels of computer literacy between industrialised and developing countries, and appropriate compensatory measures need to be introduced, taking account of national cultural differences.

Employment rights of staff

19. Quality teaching is made possible by the quality of the teaching force and the quality of their working conditions. The *1966 ILO/UNESCO Recommendation concerning the Status of Teachers* and other relevant instruments must be taken into account by all institutions and providers to support good working conditions

and terms of service, and to allow opportunities for professional development. These rights should be applied to all teachers partly or wholly employed by cross-border providers.

20. VET teachers and staff partly or wholly employed by cross-border providers should have their employment rights with such providers protected. It should be clear under which national employment regime they are employed, and cross-border arrangements should not be used as a means of undermining the employment rights or job security of employees, or of shifting work from one country to another on the basis of cost.
21. In accordance with the relevant ILO Conventions, the employment and collective bargaining rights of staff employed by cross-border VET providers should be respected and as clearly defined as those of institutions based in a single country. The right of return to the country of origin under no less favourable conditions should be guaranteed to those relocated in another country.