

HIGHER EDUCATION AMENDMENT BILL 2008

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Agreement in Principle

Ms SONIA HORNERY (Wallsend—Parliamentary Secretary) [10.14 a.m.], on behalf of Mr John Watkins: I move:
That this bill be now agreed to in principle.

The Higher Education Amendment Bill 2008 makes changes to the Higher Education Act in accordance with nationally agreed revisions to the national protocols for higher education approvals. These revisions were endorsed in 2006 by all education Ministers, including the then Commonwealth Minister. The protocols stipulate the framework that regulates the approval and operation of higher education institutions. They are designed to ensure that any higher education provider operating or wanting to operate in New South Wales meets nationally agreed standards. These amendments will ensure that the Australian higher education sector continues to provide education and educational choice of the highest quality, and that it is regulated consistently to ensure the same high quality applies around the country.

The amendments will allow the State's higher education sector to develop over time in new and controlled ways, and remain competitive in an increasingly national and global education market. While the revised arrangements offer increased diversity, the quality bar will remain uniformly high. The amended Act will allow for additional types of institutions to be approved. These include universities that can specialise in only one or two areas, colleges that aspire to university status, and other higher education institutions that can accredit their own courses. Any new universities approved under the revised protocols and the accompanying guidelines will have to meet the same high standards as existing universities. They will be required to meet rigorous quality criteria outlined in the protocols. This relates to a range of issues, including university and academic governance, financial management, the protection of students, course requirements, the culture of scholarship, facilities, staffing, and student services.

Currently, overseas universities may be approved to offer Australian-designed courses accredited under the Australian Qualifications Framework requirements. The amended Act will also allow overseas institutions to offer their own overseas qualifications, after they satisfy a thorough assessment process. Before an overseas higher education institution—including an overseas university—can operate in Australia, it will have to satisfy all the criteria required under the relevant sections of the protocols. Such an institution will require a clearly articulated higher education purpose, including a commitment to free intellectual inquiry; governance arrangements, quality assurance processes and a staffing profile appropriate to its goals and academic purpose; and sufficient financial resources, support and infrastructure for effective student learning.

Such an institution must have been accredited properly overseas by an authorised accreditation authority and its courses must be properly accredited and be of appropriate standard and standing. Arrangements must also be in place for academic oversight that equates to that of equivalent Australian institutions. The revised arrangements will also permit higher education institutions that are not universities to be granted authority to self-accredit courses provided they meet rigorous quality standards. Under the protocols, a range of significant criteria will have to be satisfied when determining whether an institution should be authorised to self-accredit any of its courses. The bill amends section 7 of the Higher Education Act to give effect to these new arrangements. A further, small amendment to this section was moved by the Government in the other place to clarify that the director general is required to have regard to the national protocols when deciding whether to authorise self-accrediting status to a higher education institution.

While implied in the bill, this additional amendment makes this intention clear and explicit. It ensures complete consistency and clarity throughout the bill regarding the underlying requirement that the terms of the national protocols and the associated guidelines must inform decision making. It is important to emphasise again that the National Protocols apply to all higher education institutions operating or seeking to operate in Australia, as well as to the offshore activities of all Australian higher education institutions. The proposed amendments to the Higher Education Act will maintain the existing high, nationally consistent standards for the establishment of higher education institutions and the accreditation of quality of courses. While providing the community with a greater range of higher educational choices over time the amendments will ensure that the enviable reputation of the higher education sector is maintained.