

# When China Opens to the World: A Study of Transnational Higher Education in Zhejiang, China

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The economic transition in China since the late 1970s has led to not only drastic social transformations but also rapid advancements in science and technology, as well as the revolution in information and communications technology. In order to enhance the global competence of the Chinese population in coping with the challenges of a knowledge-based economy, the higher education sector has been going through restructuring along the lines of marketization, privatization and decentralization. Responding to the the challenges of globalization, the Chinese government has opened up the education market by allowing overseas universities to offer programmes on the mainland. This article sets out in this wider policy context to examine the current developments of transnational higher education in China, with particular reference to how students in Zhejiang province enrolling in these overseas programmes, especially those offered by Australian providers, evaluate their learning experiences. This article will also discuss the major concerns raised by the respondents in our study regarding the newly emerging transnational higher education programmes, with particular reference to examining how far these new programmes would affect the regulatory framework in Chinese higher education.

Key words: China, transnational higher education, higher education regulatory framework, student evaluation

## Introduction

The economic transition in China since the late 1970s has led to not only drastic social transformations but also rapid advancements in science and technology, as well as the revolution in information and communications technology. In order to enhance the global competence of the Chinese population in coping with the challenges of the knowledge-

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based economy, the higher education sector has been going through restructuring along the lines of marketization, privatization and decentralization. Responding to the challenges of globalization, the Chinese government has opened up the education market by allowing private / *minban* higher education institutions and even overseas universities to offer academic programmes on the Mainland. Hence, we have witnessed the proliferation of education providers, the diversification of education financing, and the increase in private-public partnership in education provision since the policy of educational decentralization was introduced in the mid-1980s (Mok, 2009). After China's accession to the World Trade Organization (WTO), the Chinese government has allowed overseas universities, in collaboration with local universities, to co-launch higher

education programmes. This paper sets out in this policy context to examine the current developments of transnational higher education in China. More specifically, this article focuses on how students in Zhejiang province enrolling in these overseas programmes evaluate their learning experiences. This article will begin by discussing the policy context of the rise of transnational higher education in Mainland China, followed by a brief national survey of the recent developments of these education programmes. The core of the article focuses on examining how students' evaluations of their learning experiences after enrolling in transnational higher education programmes in Zhejiang area of China. The final part of the article will critically discuss the policy implications for the increasing popularity of transnational higher education in China.

## **Responses to Globalization: The Emergence of Transnational Higher Education**

### ***China's Transitional Economy and New Education Strategies***

Since the late 1970s, the modernization drive, the reform and opening up to the outside world has transformed the highly centralized planned economy into a market oriented and more dynamic economy. In the new market economy context, the old way of "centralized governance" in education is rendered inappropriate (Yang, 2002). Acknowledging that over-centralization and stringent rules would kill the initiatives and enthusiasm of local educational institutions, the Chinese Communist Party (CCP) called for resolute steps to streamline administration, devolve powers to units at lower levels so as to allow them more flexibility to run education. The *Outline for Reform and Development of Education in China* issued by the Communist Party of China in 1993 identified the reduction of centralization and government control in general as one of the long-term goals of reform (CCPCC, 1993). The government began to play the role of "macro-management through legislation, allocation of funding, planning, information service, policy guidance and essential administration", so that "universities can independently provide education geared to the needs of society under the leadership of the government" (CCPCC, 1993, p. 1). As Min (2004) has rightly suggested, higher

education has experienced structural reforms ranging from curriculum design, financing, promotion of the private / *minban* sectors in higher education provision, to adopting strategies to quest for "world-class universities". Reshuffling the monopolistic role of the state in educational provision, reform in educational structure started in the mid-1980s and has manifested a mix of private and public consumption (Cheng, 1995). Proliferation of education providers and diversification of education finance has become increasingly popular (Chen, 2002; Ngok & Kwong, 2003). Thereafter, we have witnessed a large-scale development of higher education institutions in the 1990s and different types of tertiary institutions have evolved on mainland China, including both national (public) and private / *minban* higher educations (Chan & Mok, 2001; Mok, 2006).

With the intention of improving the higher education level of the population, the Chinese government has endorsed a policy of massification in higher education. In the last decade, the number of undergraduate and post-graduate students has increased significantly, in 2004, there were up to 20 million students enrolled in Chinese universities in 2004 (Min, 2004; Ngok, 2006). Depending on local institutions alone cannot meet the pressing demands for higher education, coupled with the intention to identify and learn good practices from foreign universities, the Chinese government has allowed overseas universities, in collaboration with local institutions, to jointly develop academic programmes on the mainland. Transnational higher education has become increasingly popular especially after China joined the WTO and signed the agreement with the GATS (Huang, 2005).

### ***China's Joining of the WTO and Transnational Education***

Since the 1990s, there have been a few major laws governing transnational education in China. The most important national legislation influencing the emergence of transnational education in China is the *Education Act of the People's Republic of China* issued in 1995, encouraging exchanges or cooperative education with foreign partners (Huang, 2005a). Based upon this Act, two documents concerning transnational education were promulgated and implemented, namely the *Interim Provisions for Chinese-Foreign Cooperation in Running Schools* issued by the State Education Commission (SEC, renamed as the Ministry of

Education, MOE, in 1998) in 1995 and the *Regulations of the People's Republic of China on Chinese-Foreign Cooperation in Running Schools*. According to the first legal document, transnational education was introduced, stipulating that overseas higher education institutions can only provide academic programmes in collaboration with local institutions in China instead of the provision of academic programmes solely by themselves.

In addition, the 1995 document also restricts the levels and forms of academic programmes. The document stipulates that "Chinese and foreign parties may run educational institutions of various forms at varying levels, excluding China's compulsory education and those forms of education and training under special provisions by the state" (SEC, 1995, p. 2). Most important of all, the document also makes it explicit that running academic programmes by overseas institutions should not be motivated mainly for profit. According to the document:

Chinese-foreign cooperation in education shall abide by Chinese law and decrees, implement China's guidelines for education, conform to China's need for educational development and requirements for the training of talent and to ensure teaching quality, and shall not seek profits as the objective and/or damage the state and public interests (SEC, 1995, p. 1).

Apparently, the notion of "profit making" by transnational education in China is very different from the experiences of other overseas institutions in Australia, the United States, and the United Kingdom since the main motive of most of these institutions setting up off-shore academic programmes are to generate additional income for home institutions. Before China joined the WTO and gave it's consent to GATS, the government adopted "transnational education" as a policy tool to help the government to create additional higher education learning opportunities for local high school graduates instead of taking "transnational education" as "trade". In 1997, the Academic Degrees Committee of the State Council (ADCSC) issued another legal document entitled "Notice on Strengthening the Management of Degree-granting in Chinese-Foreign Cooperation in Running Schools" as an important supplement to the 1995 document, further emphasizing that all Chinese-Foreign cooperation in running schools should be governed by the legal framework in China.

Nonetheless, the Chinese administration experienced difficulties in implementing the newly enacted laws when confronting the increase of these overseas programmes.

After China joined the WTO, the Chinese government started revising its legislation to allow overseas institutions to offer programmes on the mainland in line with the WTO regulations. In September 2003, the State Council started implementing the "Regulations of the People's Republic of China on Chinese-Foreign Cooperation in Running Schools", this newly enacted legal document provides further details for the nature, policy and principle, concrete request and procedure of applying, leadership and organization, teaching process, financial management, supervised mechanism and legal liability, etc. Unlike the 1995 document that attaches importance to vocational education, the 2003 document encourages local universities to cooperate with renowned overseas higher education institutions in launching new academic programmes in order to improve the quality of teaching and learning and to introduce excellent overseas educational resources to local institutions (State Council, 2003). More importantly, the 2003 legal document does not forbid overseas institutions of higher learning from making profits for running courses in China. Comparing to the previous legal documents, the fundamental changes in the 2003 document has shown that transnational education has gone through "a transfer from the informal, incidental and Laissez-Fair phase prior to the more structured, systematic and well regulated phase after 1995" (Huang, 2006, p. 25). We should also note that unlike other states practicing ideas of neo-liberalism in education policy to facilitate the evolution of an "education market", the education market on mainland China is heavily regulated by the state, which is a "governed market" or "state-guided market" in China's transitional economy (Lin et al., 2005; Mok, 2006).

According to GATE, there are various forms of transnational education, including branch campuses, franchises, articulation, twinning, corporate programmes, online learning and distance education programmes, and study abroad (GATE, 1999). In this article, we only focus on one major aspect, namely the joint-venture between overseas and local universities in offering higher education programmes for Chinese citizens. At present, there are two major types of transnational higher education programmes, one is non-degree conferring programmes and the other is degree programmes leading to awards issued by foreign

universities or universities based in Hong Kong, a special administrative region of China (Yang, 2002; Huang, 2006a). The present research, as set out in the policy context briefly outlined above, seeks to examine the learning experiences of students who have enrolled in transnational higher education programmes in Hangzhou city of Zhejiang province in China. Before we discuss the findings of our case study focused on Hangzhou city, let us now briefly review the most recent development of transnational higher education programmes on Mainland China in order to develop a better understanding of how these programmes have developed in recent years at the national level.

### Transnational Higher Education in China: A Brief National Survey

Since the promulgation of the 1995 law, foreign degree programmes have seen remarkable growth and development in China. In 1995, there were only two joint programmes that could offer a foreign degree. However, by June 2004, the number of joint programmes provided in Chinese

institutions in collaboration with overseas partners increased to 745, while joint programmes which were qualified to award overseas or Hong Kong degrees were up to 169 (MOE, 2004). As to the country origin of these overseas academic partners, most of them are from the countries and regions with developed economies and advanced technology. With the biggest shares of educational service exports in the world, almost half of the cooperative universities are from America and Australia, while a number of universities from European countries are approved by the Academic Degrees Committee of the State Council (ADCSC) to grant their degrees to Chinese-Foreign Cooperation in Running Schools (CFCRS) students. Figure 1 shows the major overseas partners that have already launched joint programmes with Chinese institutions in 2004, clearly indicating the dominance of the American and Australian influences in the market.

These degree programmes approved by the ADCSC are taught in some famous universities in China such as Peking University, Tsinghua University, Zhejiang University etc. in collaboration with over 100 foreign universities or colleges. However, among these foreign higher education institutions,

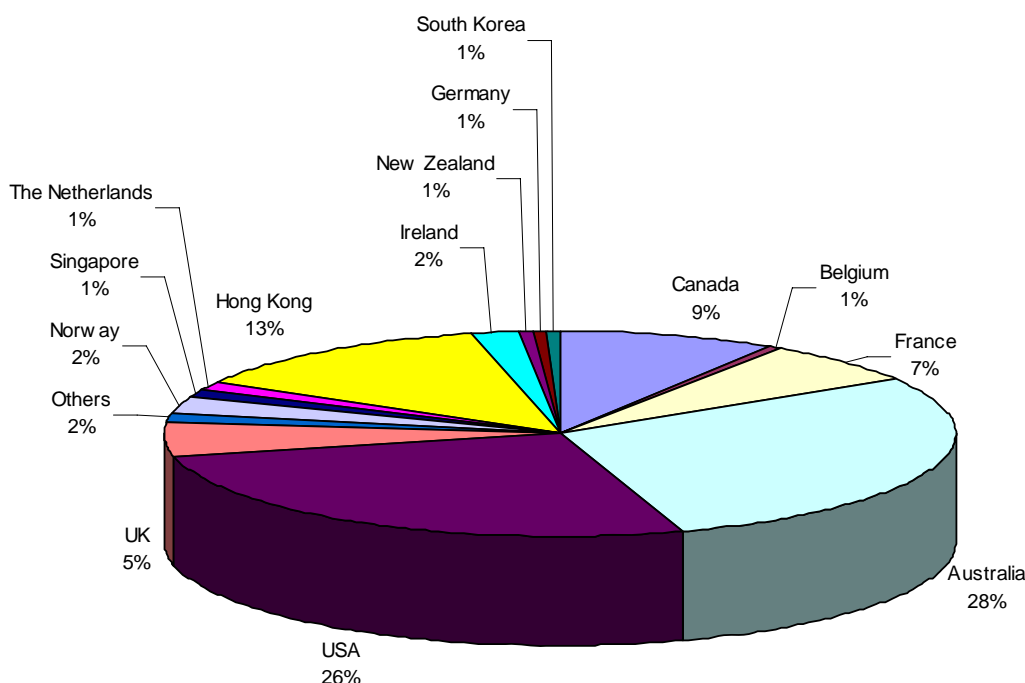


Figure 1. Overseas partners of CFCRS programmes

Source: MOE 2006

most of them are not ranked “world class” universities in terms of research and teaching. For example, among 40 approved CFCRS American degree programmes, most of them are provided by state universities or second-class universities in the USA based university league. Such a situation has indicated the gap between the policy goals in promoting international collaboration between top universities in China and renowned universities abroad.

#### *Levels, Fields and Locations of CFCRS Degree Programmes*

As mentioned earlier, the Chinese government has the approving authority on these overseas degree programmes. According to the list of CFCRS degree programmes publicized by the ADCSC of the State Council, there are altogether 103 degree programmes, about 31.7% are bachelor degrees and the rest are higher degrees including doctoral degrees or high-level professional diplomas. In June 2004, for instance, the Chinese government only recognized 164 foreign degrees out of the total run by foreign institutions in cooperation in China. In regards to the field of studies, most of them are programmes or courses related to business, commerce and management. Figure 2 shows the fields of study offered by these joint degree programmes.

A close scrutiny of where these overseas programmes

are run, reveals that most of these programmes are run by institutions concentrated in the eastern coastal areas, the most economically prosperous region in China. In 2004, most of these programmes are concentrated in the following provinces, including Shanghai (111), Beijing (108), Shandong (78), Jiangsu (61), Liaoning (34), Zhejiang (33), Tianjing (31), Shanxi (29), Guangdong (27), Hubei (23), most of these areas are close to the eastern coast of China.<sup>1</sup> The brief national survey above has provided us with a general background of the recent development of transnational higher education in China. Since most of these transnational higher education programmes have concentrated in the more economically developed eastern coastal area, we have chosen Hangzhou city, one of the most economically developed areas in Zhejiang area. Despite the fact that the students’ experiences in Hangzhou may not represent the experiences of students in other parts of the Mainland, the findings of this case study will enable us to see how students having enrolled in these programmes have evaluated their learning experiences and their assessments may provide useful insights for policy makers and educational practitioners to develop policies and regulatory frameworks appropriate for assuring the highest academic standards of these newly emerging transnational higher education programmes.

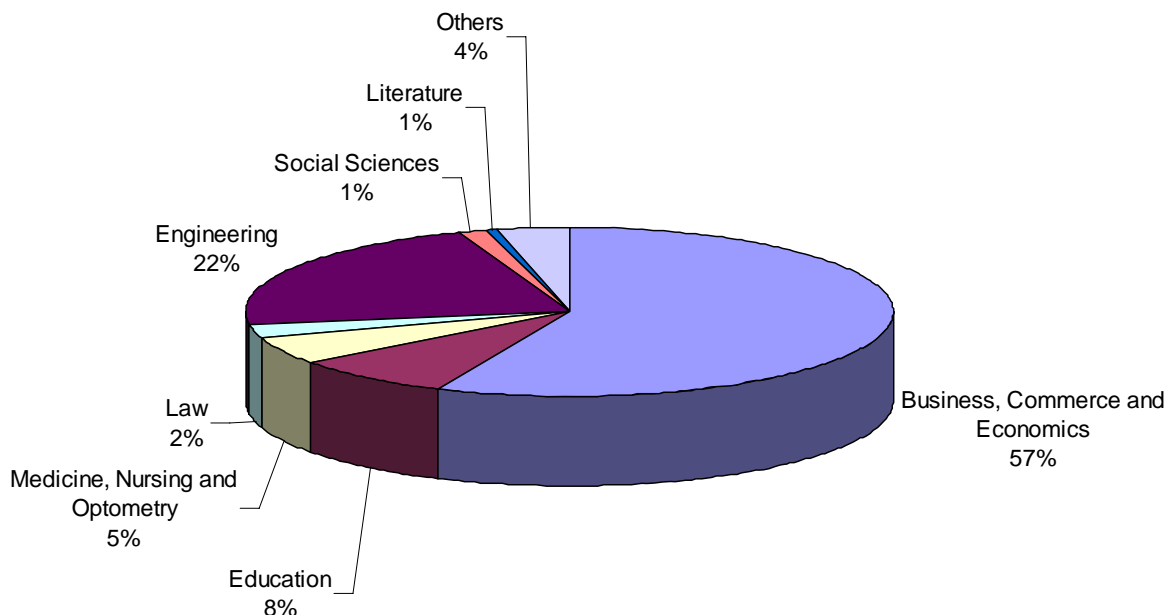


Figure 2. CFCRS programmes by field of study

Source: MOE 2006

## **Transnational Higher Education in Zhejiang Province: Students' Perspectives**

### ***The Study***

In order to understand how students enrolling in these joint programmes evaluate their learning experiences, we conducted a study based upon an opinion survey in Zhejiang province. The major objectives of the student survey are to: first, examining how student evaluate their learning experiences and assess students' overall satisfaction level with CFCRS institutions and programmes. Second, the survey is to examine how students assess the educational quality of CFCRS and their confidence in the diploma / award offered by these joint programmes. The province of Zhejiang is selected as our case studies because this is one of the provinces in China with the fastest economic growth. The institutions that we selected for the study are located in Hangzhou area, one of the most economically prosperous cities in China. In the last few years, the annual GDP growth rate of Hangzhou and Zhejiang have been ranked top three in the country, while people in Hangzhou have also taken the lead in salary increases when compared with other places in China. Of course we have no intention of claiming that the present case study can represent the whole of China, but the examination of this area of rapid economic transition can enable us to understand very clearly indeed precisely how economic dynamism has affected people's quest for higher quality education (Wen, 2005).

The respondents for the survey are students recruited by CFCRS institutions and programmes run in Zhejiang province. The sampling frame for the present survey research is based upon the purposive sampling method. Since we have already developed the contacts with relevant / targeted institutions in Hangzhou area, we interviewed students from three academic institutions which have had joint academic programmes with overseas partners. The questionnaires were delivered to Hangzhou Teachers College because this local institution has cooperated with the University of Canberra, Australia, in launching a joint master's degree in "Educational Leadership"; the International College of Zhejiang Forestry University for its joint programme of a Bachelor's degree in business administration and trade with the University of Sydney, Australia; and Zhejiang Normal University, which jointly

runs a Master's degree in education administration with Edith Cowan University, Australia. We sent out 200 questionnaires and 143 valid questionnaires were returned, with a response rate of 72%. After carefully checking the returned questionnaires, the validated data were entered into our data set and analysis with SPSS 11.5 software package was conducted afterwards. In addition to the survey research, we also conducted some focus group discussions with selected administrators of these transnational higher education programmes to learn more about their experiences in managing / running these programmes. We fully acknowledge the limitations of such a research design since the present study cannot represent the total population of China Mainland. Nonetheless, the selection of respondents from Hangzhou, one of the most economically dynamic areas in China, would reflect to a very great extent how people living in an economically prosperous region in China evaluate joint academic programmes in China.

### ***Findings***

#### *Student evaluation of course arrangement*

When asked how they evaluate the programme / course arrangement by the CFCRS institutions, more than half of the students (58%) considered the existing course arrangements relatively appropriate and the course delivery of which could meet their needs in study and work; 27% of them chose the response of 'it is just all right'. Among all respondents, only 8% of them considered the current course arrangements as highly suitable and they also found these joint programmes could meet their study and work needs. Nonetheless, about 7% of the respondents considered the course arrangements inappropriate and somehow they found such courses were not able to meet their study and work needs (see Figure 3).

When examining how the respondents evaluate the appropriateness of the proportion between foreign and Chinese courses, 63.3% of them considered the proportion "appropriate"; while 16.1% considered "not too appropriate" and believed that more foreign courses could be increased. Among them, about 12.6% believed the proportion "not too appropriate" and more Chinese courses should be added. The proportions of the "very appropriate" and "not appropriate" were 5.6% and 2.1% respectively, both of which occupy a small proportion. Putting the above data

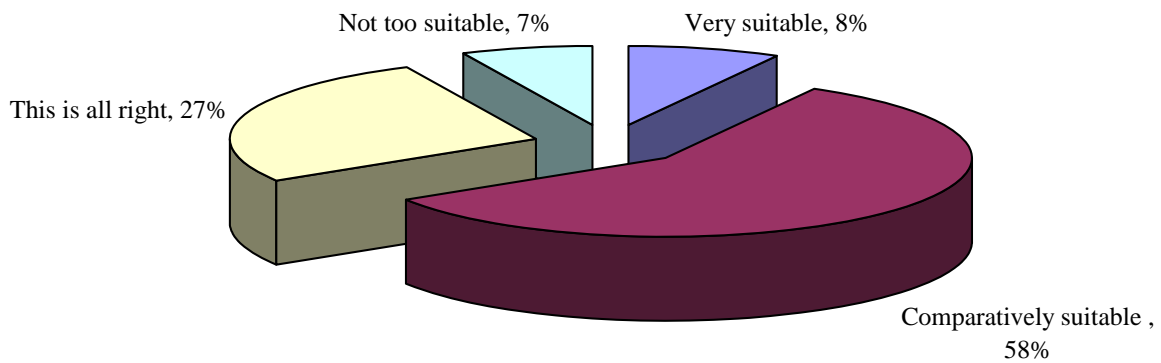


Figure 3. Satisfaction of course arrangement

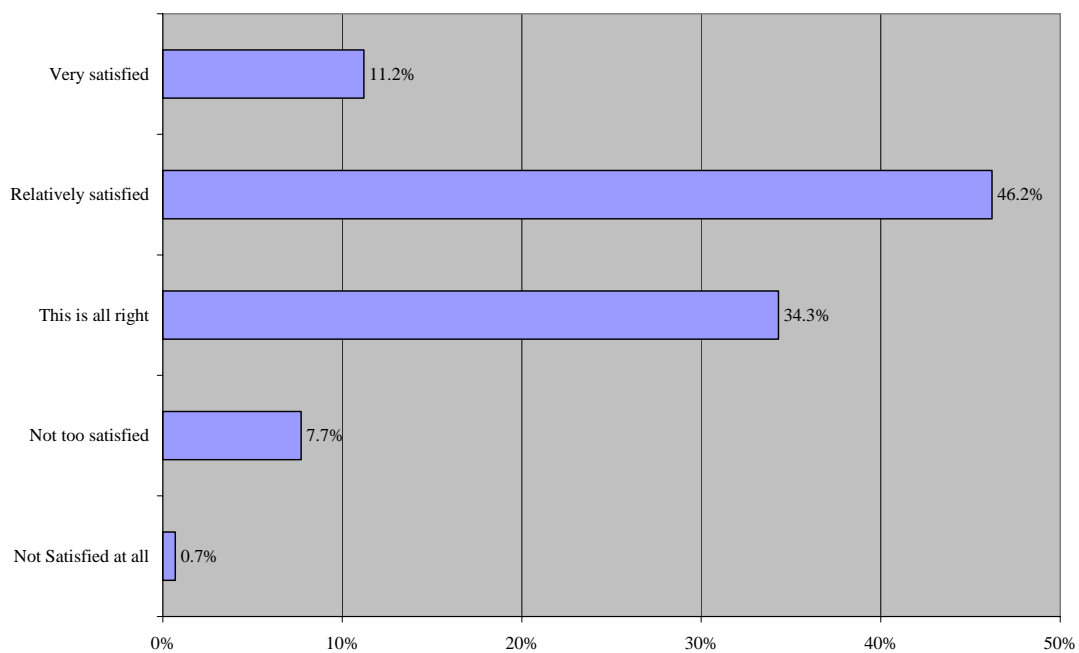


Figure 4. Satisfaction of teaching content

into perspective, although the students of the CFCRS institutions are generally happy about the course arrangements, the respondents still believe that there is room for improvement, especially when it comes to proposing changes to the proportion between foreign and Chinese courses.

As for the compilation of teaching contents, 46.2% (66 students) of the respondents considered them as “relatively satisfied”, 11.2% of them ranking “very satisfied”; while about 7.7% of the respondents indicated disappointment (ranking “not too satisfied”) and one individual respondent

even ranked ‘not satisfied at all’ when being asked to comment on the compilation of teaching contents. As the above data shown, the respondents enrolling in these joint programmes are generally happy with the teaching contents adopted by the CFCRS institutions (See Figure 4).

*Student evaluation of educational systems and class time arrangement*

When examining student satisfaction of the educational system and class time arrangements, 39.2% of the respondents considered the arrangements for the educational

system and class time “just about right”; 51 students (35.7%) ranking themselves as being “relatively satisfied” with the arrangements; 17 students (11.9%) showing their dissatisfaction; while 15 students (10.5%) considered themselves to be “very satisfied” with existing arrangements. However, some of them were not happy with the current arrangements (see Figure 5). Looking closely into these responses, we can easily find that the majority of the respondents are not happy with the existing arrangements and there is certainly room for improvements in this particular aspect.

#### *Student evaluation of teaching methods*

As for the teaching methods and teaching strategies, the opinions of the respondents are as follows: 61 students considered the teaching methods “appropriate” (around 41.3%); 20 (14%) of them ranking the teaching methods as “very good”; while only 3 students (2.1%) pointed out their dissatisfaction towards the teaching methods (see Figure 6). In this regard, most of the respondents in the study are generally happy with the teaching methods that the CFCRS institutions have selected. Nonetheless, some respondents also pointed out some areas for further improvements. For example, a number of respondents considered students’ ability in using foreign languages to communicate with overseas teachers as one major aspect for improvement. Such a view is generally supported by 93% of the respondents since they recognize their deficiency in using foreign languages during the teaching and learning processes and they are not happy about their competence in communicating with the foreign teachers (see Figure 6).

#### *Student evaluation of examination methods*

Another aspect of student evaluation is related to the assessment methods. In our survey, 65 respondents (45.5%) considered the examination method “just about right”; 54 students (taking up 37.8%) ranked the assessment methods as “appropriate”. Among them, 18 students (12.6%) rated the assessment methods “very good” but 6 students (4.2%) showed their dissatisfaction with the assessment methods (see Figure 7).

Which kinds of assessment methods are more appropriate? Who should carry out the examination / test?

According to our survey, we have learned that nearly half of the respondents (46.2%) thought that the test for the CFCRS students should be carried out by the overseas partners; 35% (50 students) of the respondents believed it should be carried out by the Chinese side; 27 students think it should be carried out by the foreign side, taking up 18.9%. Assessment is an important part of teaching activities. It is not only for the verification of knowledge and technical abilities but also for assuring academic quality. The results of the study show that students are generally satisfied with the assessment methods. However when they were asked to recommend other alternate assessment methods, we can easily find differences between postgraduate and undergraduate students. It seems not many students are happy about the test / examination carried out by the foreign side (as reflected by 81.1% of the respondents who do not want foreign institutions to control the assessment methods).

#### *Student evaluation of tuition fees*

According to the “2003 Regulations”, the tuition and its criteria of CFCRS institutions are decided according to the related price policy issued by the government. In addition, the cooperative institutions cannot add items or elevate criteria without prior permission of the government. When asked to assess the tuition fees criteria of CFCRS programmes, most of the respondents considered the tuition fees “relatively high”. Among them, 86 students rated the tuition fees “a little bit high”, taking up 60.1% of the total response; 28 students (19.6%) considered the tuition “very high”; while 29 students (20.3%) regarded the tuition “about right” but none of the respondents considered the tuition as “low or very low” (see Figure 6).

What is a reasonable level of tuition fees? When being asked about the tuition fee level, the majority of respondents in Hangzhou Teachers College and Zhejiang Forestry University (81 students accounting for 78.6% of the population) thought the reasonable tuition level should be pitched at between 25000 and 30000 RMB; while 15 students (14.6%) considered a reasonable tuition level was between 30000 and 35000 RMB. Only 4 of them believed the reasonable tuition level should be set between 35000 and 40000 and only 3 students proposed setting the tuition level between 40000 and 45000 RMB.



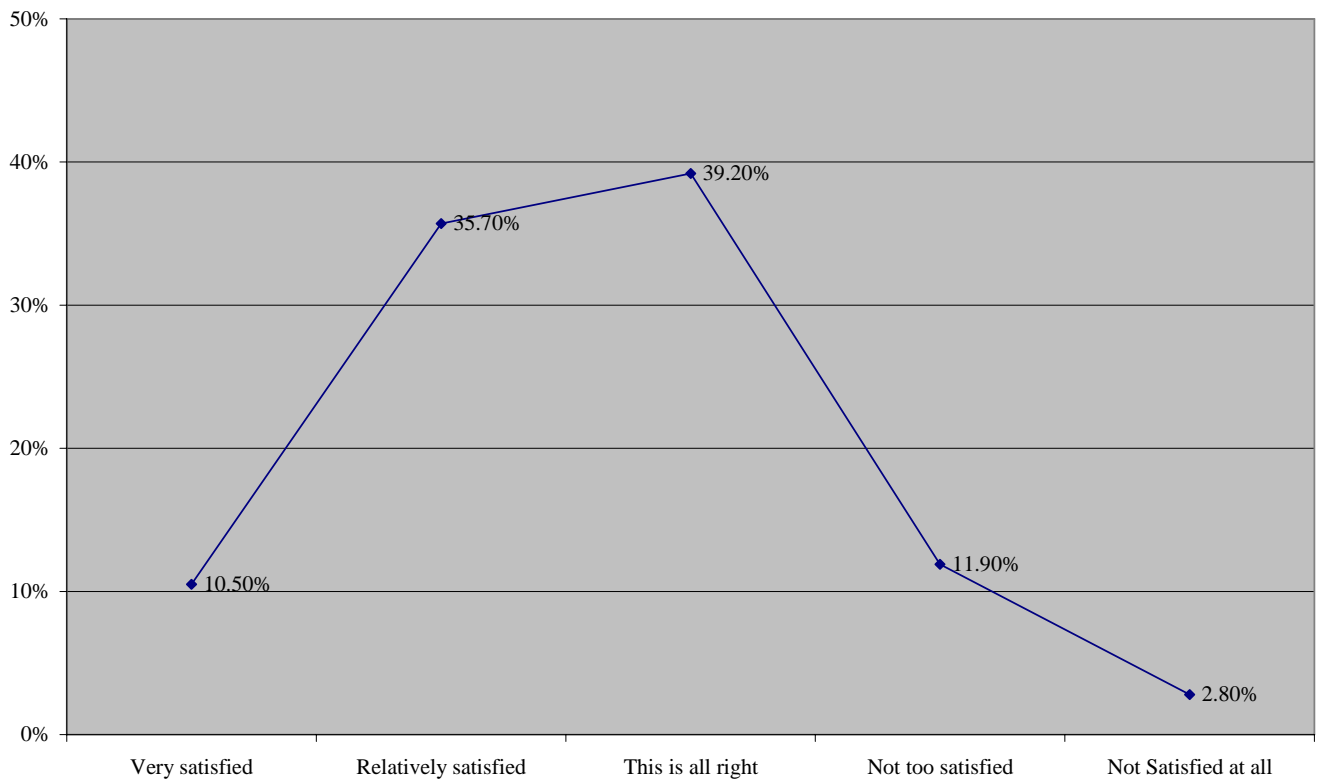


Figure 5. Satisfaction of class time arrangement

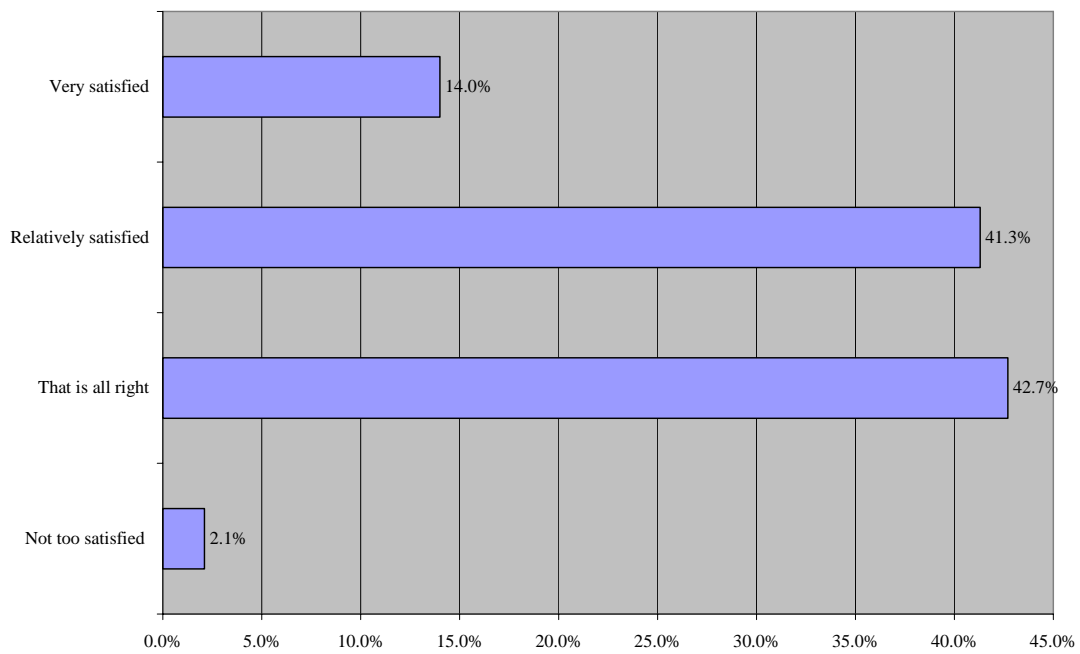


Figure 6. Satisfaction of teaching methods

As the above data has shown, although the tuition of CFCRS is much lower than that of studying abroad, the students who have already enrolled in joint programmes still

consider the tuition fees high. As these joint programmes are now a service offered by the overseas institutions, it is inevitable that these foreign institutions of CFCRS aim at

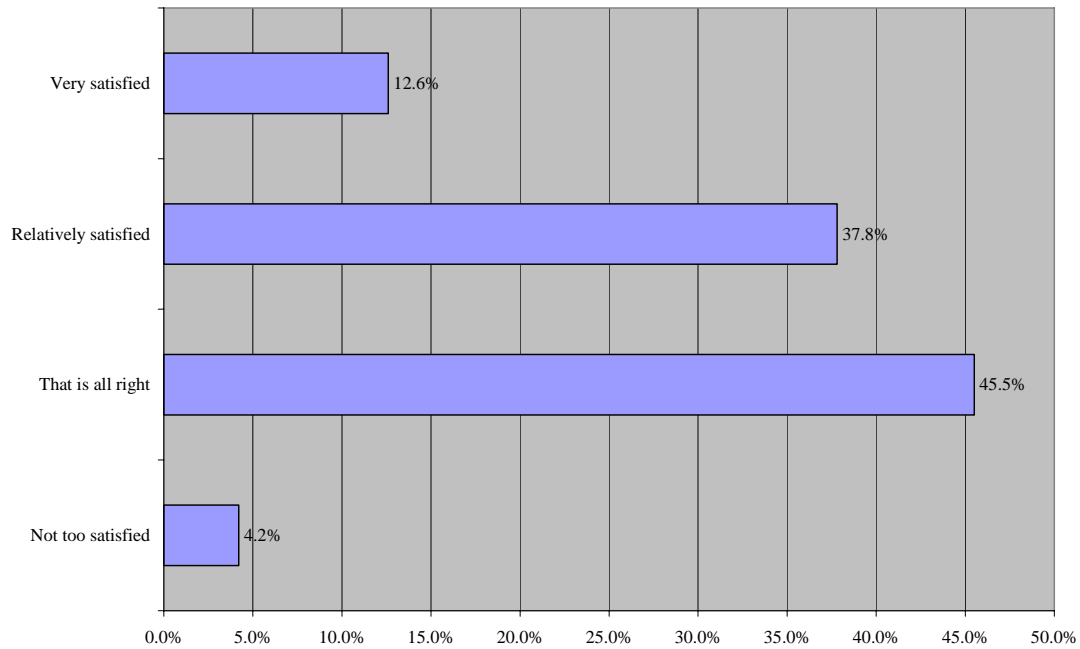


Figure 7. Satisfaction of test method

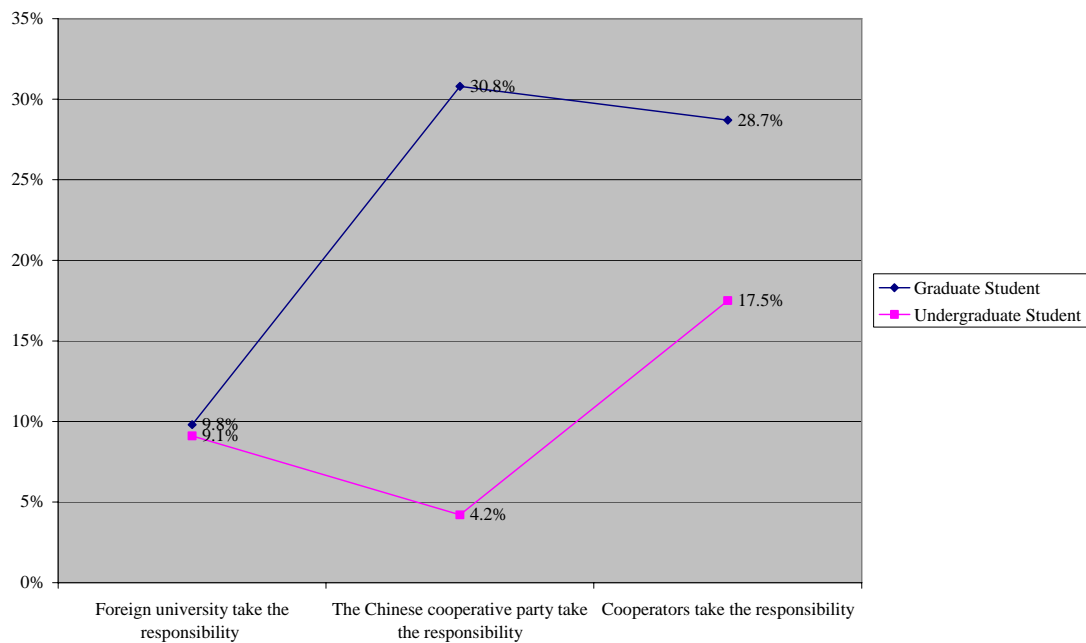


Figure 7.1. Comparison

making a profit. To the domestic students in China, most of them are still unable to pay for such “high fees” programmes. Therefore, setting an appropriate tuition level has become

one major issue for these overseas partner institutions and they should take into account the affordability of these programmes for Chinese students when deciding the fee

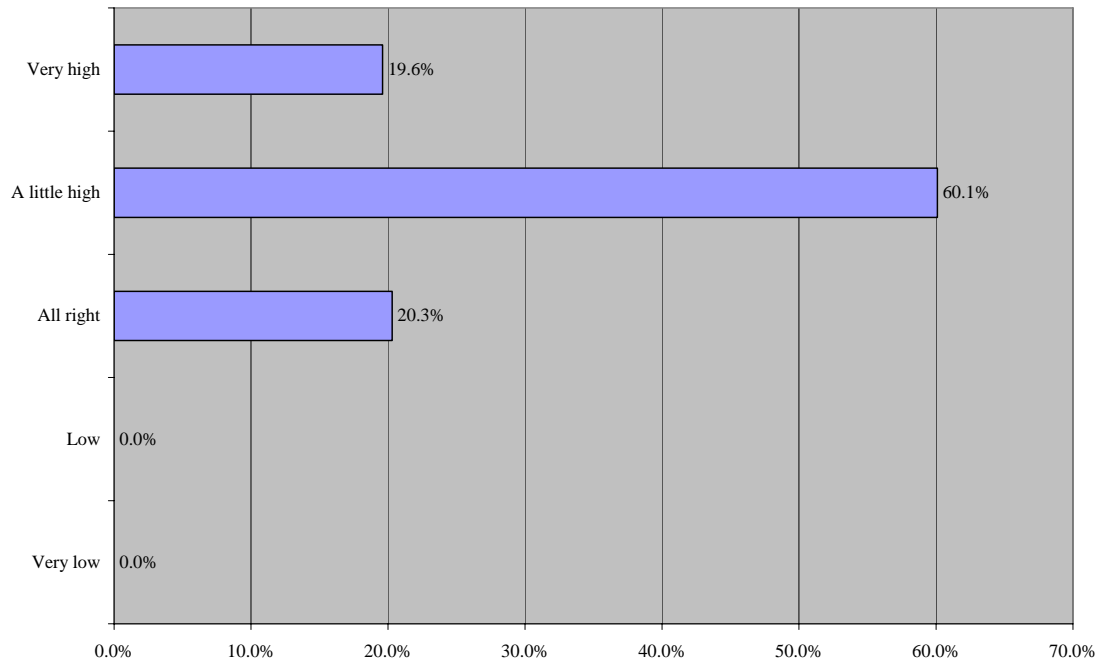


Figure 8. The tuition fees

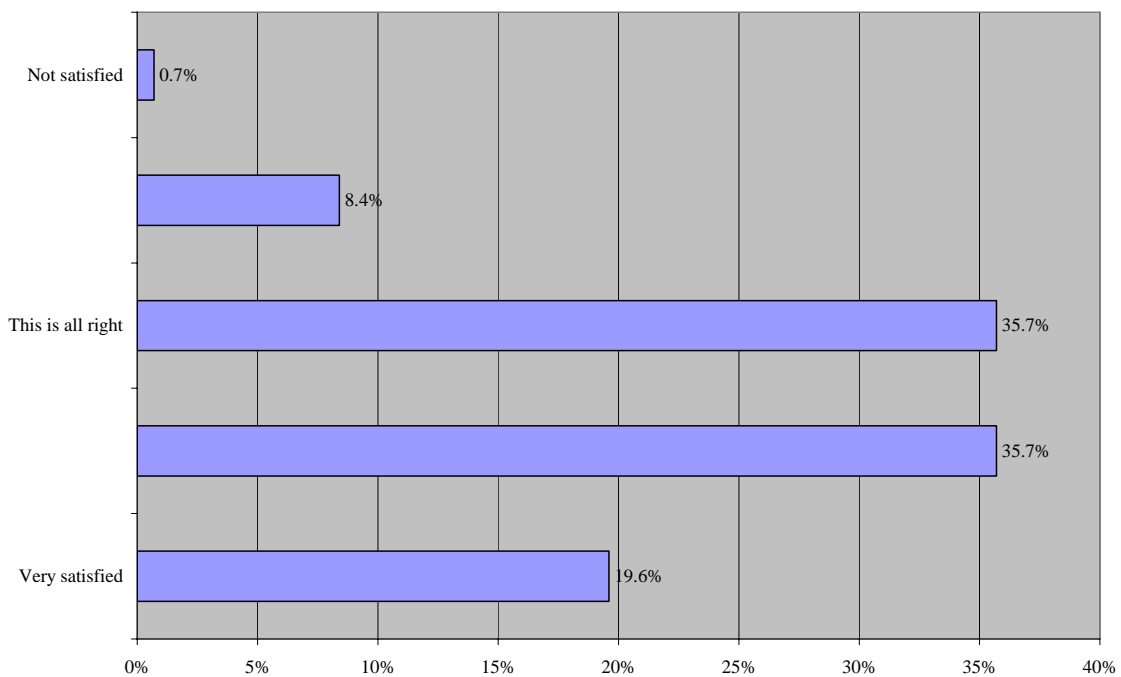


Figure 9. Satisfaction of teaching facilities

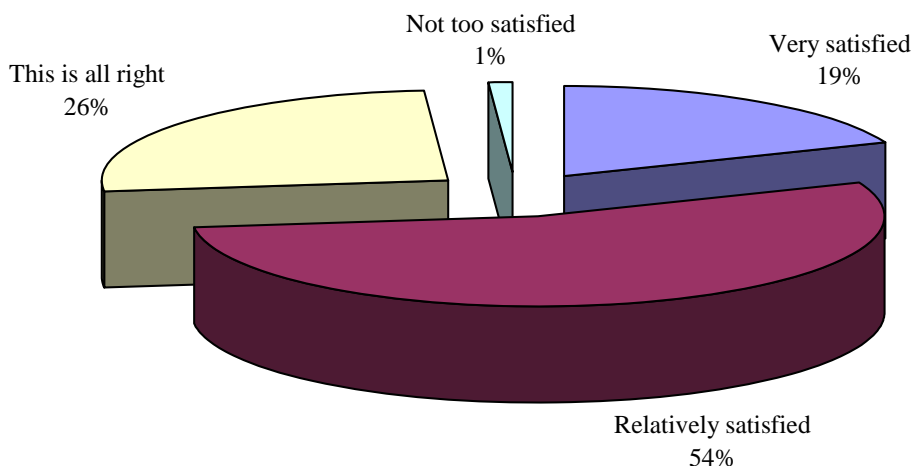


Figure 10. Satisfaction of foreign teachers' qualifications

level (see Figure 8).

#### *Student evaluation of teaching facilities*

One major dimension regarding student satisfaction with educational programmes is related to the facilities offered by these joint programmes. In our study, 35.7 % of the students considered the facilities in their institutions as being all right; 35.7 % rated the facilities “not bad” and about 28 students (19.6%) rated their institutions’ facilities as “very good”. Not surprisingly, some of the respondents are not happy with the facilities. Among them, 12 students ranked their institutions’ facilities as “bad”, taking up 8.4 % and one individual respondent rated “very bad” when evaluating the facilities (see Figure 9).

#### *Student evaluation of faculty*

The competence of the academic staff involved in the joint programmes directly affects students’ learning experiences. According to the “2003 Regulations”, “foreign teachers and administrators in the institutions of CFCS should have at least a bachelor degree and certification accordingly, and need more than 2 years’ experience of teaching”. When examining the “quality” of the teaching staff for these joint programmes, 78 students (54%) regarded the qualifications of their teachers as “good”; 37 students (26%) rating “this is all right” but 19 % of them rated highly (see Figure 10). Putting these data together, 99.3% of the respondents are satisfied with the qualifications of the faculty involved in these joint programmes.

### **Major Issues and Challenges for Transnational Higher Education in China**

Putting the above observations together, we can see that most of the respondents are generally satisfied with these transnational higher education programmes. Nonetheless, they also raised concerns about quality assurance and the status of the programmes they have enrolled in. These concerns are not only related or relevant only to the respondents in this study but also important to the Chinese government when assuring the academic quality of the growing prominence of the transnational higher education on the Mainland. The following section further discusses these issues.

#### ***Quality Assurance of Transnational Higher Education***

Our above study has pointed to one major issue / challenge that transnational education programmes in China are confronting; that of “quality assurance”. According to the “2003 Regulations”, both the central government and local government take full legal responsibilities for approving or chartering the establishment of transnational education programmes in line with the existing legal frameworks and guidelines. However, after the joint programmes are approved and put into operation, responsibility for quality assurance falls to individual institutions. As Huang observed: “in most cases, faculty members at departmental or programme level are expected

to be responsible for the quality of teaching and learning, though there are occasional checks by inspectors sent by the Ministry of Education or other administrative authorities” (Huang, 2006, p. 31). Such observations are confirmed by our study in Zhejiang province. As discussed above, our respondents are concerned about the quality assurance for these transnational education programmes, especially when individual institutions are gradually taking up responsibility for quality assurance. Since Chinese university students are familiar with state-guided quality assurance systems (mainly because the Ministry of Education has long been the only organization responsible for quality assurance in higher education), this explains why our respondents prefer that intermediary organizations do not take responsibility for quality assurance. Nonetheless, they are equally worried about when such responsibility goes to individual institutions since there are bound to be variations in terms of quality assurance systems / mechanisms among different institutions. The issue of quality assurance being raised is not unique to transnational higher education in China. With the rise of transnational education programmes in other Asian societies, quality assurance has also become one major issue for those programme-offering institutions. For instance, Australian universities have started to reexamine their quality assurance systems in order to maintain similar academic standards between the home and overseas academic programmes (Meek, 2006). Our interviews with university administrators in Zhejiang province has suggested a preferred model in quality assurance is to set up an independent non-government organization (similar to the independent accreditation bodies in the USA) to take up the quality assurance tasks and responsibilities. Obviously, quality assurance has become increasingly important when transnational higher education programmes are booming on the Mainland, therefore the government should develop appropriate regulatory frameworks in governing such newly evolved programmes and institutions.

### ***The Status of Transnational Higher Education***

Our above national survey and the case study of Zhejiang province have suggested that these joint degree programmes face the issue of “legal status” in China’s higher education system. Analyzing these transnational education programmes in the light of the typologies set out

by GATE, we can easily find that these joint degree programmes have not constituted a major but only a supplementary part of China’s higher education system. According to Huang (2006a), “incoming foreign higher education activity in China is not regarded as constituting an independent part of the higher education system such as the national, public or private institutions” (p. 8). Unlike Malaysia, Singapore and Hong Kong, where the governments in these Asian economies have allowed overseas institutions to set up their branch campuses to recruit students and offer teaching programmes, the Chinese government has not permitted foreign universities to establish their branch campuses on the Mainland (Huang, 2005; Mok, 2006a; Morshidi, 2006; Yang, 2006).

Even though Nottingham University from the UK has been very keen to set up a branch campus in China, several years of effort have only allowed this foreign academic partner to found a university in collaboration with Zhejiang Wanli University. Despite the fact that the majority of programmes being taught in this university have been imported from the UK, the newly established Ningbo Nottingham University has never been a branch campus like counterparts in the Malaysian, Singapore and Hong Kong context. As Huang (2006a) suggested, “it is strongly emphasized that the University of Nottingham, Ningbo China, which is considered one of China’s most admired new model universities with the status of corporation, is not a branch campus of the University of Nottingham, but a completely independent university owned by Zhejiang Wanli University” (p. 8). Since transnational higher education is still relatively new to China, our current case study has suggested that the students enrolling in these joint degree programmes are worried about the status and public recognition of these overseas institutions and programmes. Such worries are related to the Chinese government’s policies towards such kinds of “international cooperation”.

Although these transnational education programmes are considered an integral part of China’s higher education and various government policies have repeatedly stressed the importance of these programmes, the existing legal documents are not clear enough to endorse the status of these transnational programmes. Since all of these joint programmes are run by overseas universities in collaboration with Chinese national universities, it seems that they are publicly owned but actually their operation in many respects

is totally different from normal programmes (Huang, 2006a). Similar to “second-tier colleges” being set up by major public / national universities (and also encouraged by the Ministry of Education) but run as privately run institutions, the public–private distinction is becoming even more blurred and confused in Chinese higher education (Lin, 2004; Lin et al., 2005; Mok, 2006). Huang has rightly summed up the major challenge that these transnational education institutions and programmes are confronted with thusly: “it remains a big issue how they should be positioned as a new legal form of higher education activity” (Huang, 2006, p. 30).

### **Discussion and Conclusion: Need for New Higher Education Regulatory Framework**

The above study of transnational higher education in China in general and the case study in Zhejiang province in particular has clearly shown that the higher education sector has been significantly transformed, especially in terms of the proliferation of providers and diversification of financial sources. If we analyze the rise of transnational higher education in the wider context of the growing privatization of higher education in the post-Mao era, especially when different kinds of *minban* or *quasi-minban* (such as second-tier colleges or independent colleges in affiliation with national universities) higher education has increased in number, we would appreciate that the diversification and marketization of higher education have inevitably challenged the conventional governance model of higher education (see Lin et al., 2005; Mok & Ngok, 2008). We can easily identify a few major unresolved issues such as the problem of ownership, the share of profits between the second-tier colleges and their parent institutions, the status of their degrees, the use of the brand names of the parent institutions and other related issues regarding accreditation and quality assurance. All these unresolved issues are indeed challenging the existing regulatory framework, particularly when the existing legal and regulatory framework(s) are inappropriate and ineffective in governing these newly formed institutions (Wu, 2003; Xiang, 2005). Unlike other countries, where the liberation of market forces would result in the formation of a new regulatory state by adopting a corporate regulatory framework, civil society-led regulatory

systems or international benchmarking evolving in governing the highly diversified sectors / markets, the Chinese government still attempts to maintain a state-oriented regulatory regime in governing this increasingly complex and diverse higher education sector.

The increasing scope of pro-competitive regulation by independent regulators and the deployment of new regulatory instruments are becoming increasingly popular trends especially when corporatization or privatization of state-owned public services and opening up of new markets to multiple providers are taken into account (Painter & Wong, 2005; Jordana & Levi-Faur, 2005). Analyzing the rise of transnational higher education in connection to the increasingly diverse and complicated higher education environment in China, there is an urgent need for the Chinese government to devise a new regulatory framework appropriate for governing the growing diversity in the higher education sector. More specifically, it is desirable to distinguish between the scope of state activities and the strength of state power. For the former, I mean the different functions and goals taken on by the government, while the latter refers to the ability to plan and execute policies and to enforce laws (Fukuyama, 2005). It is particularly true when higher education provision has been significantly diversified and the private and public mix has become increasingly complicated. The Chinese government needs to redefine the relationship between the state and different educational providers, especially in terms of specifying the roles, responsibilities and functions and legal statuses that different actors should perform in a more market-driven and diversified education market in China’s transitional economy. In conclusion, the Chinese government should develop a new regulatory regime that can respond sensitively and match appropriately the changing local administrative cultures and political circumstances.

#### **Note**

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<sup>1</sup> The number in blank stands for the number of overseas programmes jointly run by local Chinese universities and overseas partners.

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