Re: Feedback to Draft Standards for Course Design and Learning Outcomes

Perth Bible College welcomes the invitation to respond to the recent release of draft standards by the Higher Education Standards Panel. We would provide the following comments in relation to the questions raised in the Draft Standards for Course Design and Learning Outcomes — Discussion Paper. We also include further comments for the consideration of the HESP as it considers changes to the Threshold Standards.

Q1. Do you broadly support the proposed format of the standards? Overall, the proposed format provides an improvement from the current standards. Removing the broad overarching statements and providing clarity in point form is a positive move.

Q2. Do you support the inclusion of Reference Points as proposed? Whilst the concept of having Reference Points which are not in and of themselves standards is supported, the move to shift the AQF to a reference point — without further clarity on what exactly the expectations are in terms of Reference Points — does not enable the AQF to fulfill the purposes for which it has been designed.

Currently the AQF is included in the Threshold Standards in a way which supports the objectives of the AQF as outlined within the AQF. To remove the AQF and include it only as a “Reference Point” would reduce the ability of TEQSA to ensure that the AQF is upheld across the sector. The AQF provides a flexible framework, whilst ensuring that students can be confident that their awards at particular levels meet certain requirements and are comparable to awards of the same level across the sector.

A fundamental shift such as this, should the HESP believe it is required to occur, cannot be put off until a new set of Thresholds are released. TEQSA currently has no choice but to ensure the AQF is met by all HEPS, thus the AQF is currently more than a “reference point”. This is evidenced by TEQSA’s approach and an example of this would be the TEQSA FAQ sheet in relation to the AQF. It states:

“The Qualification Standards, which are part of the Threshold Standards, include a requirement that all higher education awards at Levels 5-10 of the Australian Qualifications Framework (AQF) must meet the corresponding specifications in the AQF. The AQF is the national policy that sets the specifications for regulated qualifications in Australia.”

Were the AQF to become a Reference Point it would seem that TEQSA could no longer use language such as “that all...must meet” or “The AQF...sets the specifications for regulated qualifications”. 
There currently seems to be mixed messages in this regard between the AQF and the HESP. The AQF training provided in March around the country made it very clear that the AQF was not an indicative reference point, but was, even as a broad framework, one that needed to be met to ensure compliance – thus making the AQF a standard. The language of the HESP presentation at the TEQSA briefing, also in March, indicated that the AQF was not a standard type document, but rather more of a broad indicative framework that should be considered in course design as a reference point.

**Q3. Do you wish to make any suggestion in relation to the format of the standards?**

We would note that there is a mix in the grammar throughout the points between an active and passive voice. It would be beneficial for there to be consistency in this regard with either an active or passive voice, rather than a mixture of both.

In terms of the current overall shape of the draft standards there is minimal link into the praxis.

The standards also appear to be extensively shaped by a meta-theory of education where education is primarily vocationally focused. The ability for this meta-theory to support education into the future is debatable. For example: *The End of Education* (Postman, 1995); *A New Agenda for Higher Education: Shaping a Life of the Mind for Practice* (The Carnegie Foundation for the Advancement of Teaching, 2008); *Education for Human Flourishing* (Spears & Loomis, 2009) and *Experience & Education* (Dewey, 1938).

The standards also appear to be primarily shaped by the current educational paradigm and particularly the University paradigm geared towards maintaining the status quo. Current research questions the viability of this paradigm to support education into the future. For example: *University of the Future: A thousand year old industry on the cusp of profound change* (Ernst & Young, 2012) and *An Avalanche is Coming: Higher Education and the Revolution Ahead* (Institute for Public Policy Research, 2013).

We would suggest the HESP considers how it may design standards that encourage innovation and excellence rather than minimum requirements which often become the general tendency of trajectory where demonstration of benchmarks and meeting standards becomes the emphasis.

**Q4. Do you broadly support the proposed standards for Course Design?**

Broadly yes, taking into account the suggestions above and general comments made below.

**Q5. Do you wish to make any suggestions in relation to the specific content of the [Course Design] standards?**

We would suggest that standard 5 lacks a professional ethical dimension. Course design, should it include the element of the formation of responsible citizens, cannot occur without having the development of ethical citizens embedded within its design.

**Q6. Do you broadly support the proposed standards for Learning Outcomes?**

Broadly yes, taking into account the suggestions above and general comments made below.
Q7. Do you wish to make any suggestions in relation to the specific content of the [Learning Outcomes] standards?

We would suggest the reference to “international comparators” is dangerously undefined. There is no determination of which “international comparators” should inform the learning outcomes, only that international comparators do inform the learning outcomes. Whilst the Australian comparators are shaped by the AQF, such comparison provides a meaningful benchmarking process. Without some framework to underpin the value of the comparators, such as the AQF, the value of international comparison seems overplayed. We would suggest further clarity is placed around such a statement.

General Comments
We would also provide the HESP with the following comments in relation to the design of the new Threshold Standards.

Determination Process: We believe it would be beneficial for the HESP to incorporate a “determination process” within the Threshold Standards to assist with interpretation. Due to the operational nature of TEQSA and its Case Manager model, there is limited scope for a provider to have a determination of a term or statement within the Threshold Standards. These seem to be made on a case-by-case basis and without publication of decisions into the sector as they are determined. A process such as this could be based on the determination process as used in relation to taxation legislation.

Burden of Proof: We would suggest the HESP considers how it may design the standards in terms of burden of proof. It seems that this lacks clarity within the current Threshold Standards and has not been rectified with the new format. Whilst TEQSA is evidence based in its regulation, the current operational paradigm appears to be that no/little evidence equates to non-compliance or high-risk of not meeting a standard. This would appear to be an operation biased towards non-compliance rather than being evidence based. To be evidence based must ensure that there is a basis of evidence for the position of TEQSA whether that position is compliance/low-risk or non-compliance/high-risk. Limited evidence should not be proof for either, but rather the indication that more evidence is required to make an informed determination.

Regulatory Approach: We would suggest that the HESP consider how it may design the standards to provide a broad operational framework for the process and emphasis of regulation. We suggest that TEQSA has moved away from the positive operational focus of AUQA. In relation to NSAIs, AUQA placed the responsibility on the provider to demonstrate the logical reasoning for determining it met the Quality Audit Factors (QAFs – not dissimilar to the threshold standards) and the evidence to support it holding the position of meeting the QAFs. AUQAs review and audit would then test the validity of the reasoning and evidence to support this – that is to say, the provider presented its argument for its “compliance” and AUQA had to demonstrate why this was not the case, providing reasoning and evidence for holding its alternate position. TEQSA has instead taken upon itself to determine the logical reasoning for meeting the standards and requires providers to submit evidence to support TEQSA's logical reasoning, whether this matches the provider or not. With the complexities of the HE industry, TEQSA's ability to provide a logical reasoning that is suitable for all the alternate operational models is questionable. The commendation, affirmation and recommendation embedded process of AUQA also assured that the audit function of AUQA was not only “non-compliance” focused but “good
practice" focused and was beneficial to the entire sector. AUQA audit reports enabled the sector to gain not only information of areas that may need attention for negative reasons, but areas that could be improved by moving towards what was commended at other institutions. Designing standards which require TEQSA to also identify and acknowledge "good practice" has immense value for the sector.

**Forms of Evidence:** We would also suggest that the HESP consider that evidence does not only exist in document form. This was affirmed by TEQSA themselves at the March 2013 briefing (Evidence-based approach to Regulation). We would suggest that TEQSAs "documentation, site visit, and use of experts" evidence triangle does not encapsulate the diversity of evidence that providers utilise within their operations. We would suggest that the HESP consider how the standards provide for the presentation/evaluation of evidence in other forms and formats – some of which may be impossible to submit.

Yours sincerely,

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