

Report of the Evaluation Panel convened to consider an application from the International European University for a temporary license to operate in Malta

Foreword

Rationale

The circumstances of this panel are, to date, unique in the annals of Quality Assurance (QA) in Malta. An application was submitted by the International European University (IEU) of Ukraine for a wartime temporary license to operate in Malta in collaboration with the American University of Malta (AUM), a further and higher education institution already licensed to operate in Malta.

The Malta Further and Higher Education Authority (MFHEA) appointed a panel of experts to address this situation in terms of the legal framework regulating Further and Higher Education institutions in Malta. Its framework for action is explained below, followed by the panel's recommendations. The remainder of the report summarises the evidence base for the panel's decisions.

Framework for action

From the outset of the review process, the panel was clear that three conditions were imperative. The panel believes that these conditions underpin the legal obligations which the MFHEA has to the state and people of Malta, to any European citizen who wishes to study in Malta, and to the wider European Union (EU).

Firstly, the potential award of a license to the IEU must not provide the grounds for direct competition with other educational institutions already licensed to operate in Malta. Secondly, all students of the IEU would be studying in an institution which, while based in Malta, still operates under Ukrainian law. Thirdly, a temporary license to operate in Malta cannot confer the right for the International European University to claim that it meets European standards. Such a license would not validate the programmes themselves, and responsibility for Quality Assurance (QA) would have to remain with the National Agency for Higher Education Quality Assurance in Ukraine (NAQA). In this regard, therefore, NAQA will retain the responsibility to audit the institution as it deems fit, according to Ukrainian law and regulations.

Due to the special circumstances of the case, the panel did not have the opportunity to examine in sufficient depth all aspects of Quality Assurance which would normally be necessary for granting a permanent license. The scope of the panel, as appointed by MFHEA, was to determine whether an application for a temporary license could be approved for operation in Malta.

The panel scrutinised elements appertaining to the educational standards set out in Article 47 to ensure that these standards are met sufficiently by the International European University. In consequence, and following careful deliberation, the panel makes the following six recommendations to the MFHEA.

Recommendations

Recommendation 1: The panel recommends that the MFHEA should issue a one-year temporary operating license to the International European University, subject to additional recommendations listed below.

Recommendation 2: The International European University must make it clear on all its communication platforms that its courses in Malta are quality assured by the National Agency for Higher Education Quality Assurance in Ukraine (NAQA). If students have concerns or complaints, these must be followed up according to International European University regulations: they cannot be pursued in Malta. The IEU must clearly identify who will be responsible for addressing students' concerns, and it must develop and publish a standard operating procedure to explain this process.

Recommendation 3: The International European University must make it clear on all its communication platforms that students attending its courses in Malta are joining an institution which may eventually relocate back to Ukraine, therefore they may have to complete their courses of study in Ukraine, and their right to live and study in Malta may at some future point be revoked.

Recommendation 4: The license should be reviewed annually in light of current events in Ukraine. As part of the first review, the MFHEA should pay particular attention to the provision of residential accommodation, laboratory and classroom facilities (see below under Article 47/4) and also to provision of staff (see below under Article 47/2).

Recommendation 5: As part of the annual license review, the MFHEA is recommended to check that IEU budget forecasting and strategic planning are appropriate and secure.

Recommendation 6: The MFHEA is recommended to discuss Recommendation 2 with the National Agency for Higher Education Quality Assurance in Ukraine, to establish good working relationships and agree on practical steps if difficulties arise.

The evidence base

How the panel reached its judgements

The panel used Article 47 requirements to frame its judgements, evaluating the documentation it received to answer the overarching questions in Article 47 Annex 1. The panel focused on ensuring that relevant educational standards are met by the International European University. Judgements made by the panel do not override decisions pertaining to the institution made by the National Agency for Higher Education Quality Assurance in Ukraine (NAQA) prior to the move to Malta.

Panel findings are discussed below under the Article 47 Annex 1 question headings.

Article 47/1: Are HE, teaching, research and dissemination of knowledge the primary activities of the applicant?

1.1 This requirement is met. The panel found evidence that teaching, research and dissemination of knowledge are the primary activities of the applicant, covered by its strategic plan up to 2031 (<https://ieu.edu.ua/en/about-ieu/ieu-development-strategy>).

1.2 The International European University (IEU) has been licensed by the Ministry of Education and Science of Ukraine since August 2019. At its inception, there were difficulties with accommodation to which the Ukrainian regulators took exception, but they did not raise any concerns about the educational standards of the IEU. It has been running Level 6 and Level 7 programmes in Kyiv, some of which will be transferred to Malta, namely programmes for Management/Business Administration and Medical Education. It is envisaged that the first three years of its Masters in Medicine degree will be taught in Malta, i.e. covering the theoretical components. Subsequent practical training in Medicine will be undertaken in Poland through existing agreements with Polish medical centres.

1.3 The applicant has an appropriate contract for full academic and logistical co-operation with the American University of Malta (AUM), which is already licensed to operate in Malta, and a Co-operation Agreement with Meditrans in Poland.

1.4 Through its Agreement with the AUM, the IEU also intends to undertake collaborative educational and social activities for students, the development of double degree programmes (Business and Computer Science) and issuance of Business diplomas through AUM accreditation.

1.5 Many IEU staff are research-active, publishing internationally, and students, particularly medical students, are encouraged from the start of their courses to undertake their own research.

Article 47/2: Does the applicant have academic staff, an academic library, and stable research training or stable research and development activities of a high standard?

2.1 This requirement is met, either directly or through the IEU's Agreement with the AUM. However the word "stable" cannot be applied to the IEU in the wartime circumstances of Ukraine. Seeking stability for its work by requesting permission to operate in Malta is the reason the IEU has applied for a temporary license. Indeed, it is in consequence of the Agreement with the AUM that the IEU hopes to be able to offer a stable setting as well as the benefits of sharing resources and expertise with the AUM.

2.2 From the documents provided, it was concluded that the Principal and staff are well-qualified and experienced. The Bologna process is followed in recruiting staff. Members of Faculty are hired through competitive selection. Following this, academic staff are given Key Performance Indicators. Additionally, the IEU has also introduced assessment ratings for the scientific activities of its staff. Staff at IEU are supported by its corporate culture. IEU's IQA refers to a '*staff motivation system based on their performance*' (pg16). This package includes health care, financial assistance for lecturers, and resources.

2.3 It was not clear to the panel who amongst IEU's staff will transfer to Malta, nor how this shift will be managed, as precise planning information was not presented, largely because the university could not make firm commitments to staff until it knows it has secured a license to operate in Malta. However, it is the intention of the IEU to transfer all staff currently teaching the courses which it is relocating, along with administrative staff from its international office and the dean's office to support the move. This is a matter upon which MFHEA staff are currently keeping a close eye. The panel recommends that they should continue to so.

2.4 The IEU has left behind its physical library accommodation but plans to move books to Malta for specialized courses in its medical programme (chemistry, biology, anatomy, history of Ukraine, Ukrainian language, Latin and medical terms, and so forth). Transportation through customs is already being prepared. The panel is informed that the IEU's online resources will also be available to students during their stay in Malta, but specific details have not been provided to show that this process can be done efficiently and in time for start of operations. Since the AUM does not teach medical programmes, for medical students this will be essential provision.

2.5 However, as outlined in 2.4 above, the IEU intends to bring over to Malta its digital capabilities and resources. Additionally, IEU students will also make use of AUM's physical library and resources. AUM provides Business programmes, for which courses the AUM library books will be available to IEU students. It should be noted that AUM's library services budget has been recently increased so that learners have access to better resources for their studies.

2.6 Current IT provision at AUM is of good quality, and with access to this infrastructure IEU students should have reliable access to resources, including ample online journal access. The IEU has confirmed to the panel that all material on its servers in Kyiv is securely cloud-stored on servers outside Ukraine.

2.7 It is the opinion of the panel that the major shortfall in IEU's provision is in the availability of laboratories for medical students. AUM premises at the moment do not have such provision. First year medical students do not need laboratories for their first semester, which gives time for the IEU to seek appropriate provision for them. However the IEU will have to move fast if it also transfers second and third year medical students. The panel is very concerned about this matter, but decided that this should not hinder the granting of a temporary license because (see also para 2.3 above) it understands that the IEU cannot take sufficient action before securing a license to operate in Malta. The panel recommends that MFHEA continues to pay attention to this shortfall.

Article 47/3: Does the applicant have representative bodies of staff and students? Do these bodies meet regulatory requirements?

3.1 This requirement is met sufficiently. The IEU does have representative bodies of staff and students, though the panel was unable to determine the precise nature of the systems by which they are elected and how these were/are operating. Nevertheless, it should be noted that IEU will be operating under Ukrainian QA regulations, not those of Malta and the EU.

3.2 The panel is recommending that MFHEA works with IEU and the National Agency for Higher Education Quality Assurance in Ukraine (NAQA) to ensure that these requirements are met as per Ukrainian standards. In particular, any shortcomings identified by students should be forwarded to NAQA, which must take responsibility for dealing with them. The panel recommends that the IEU clearly identifies who will be addressing students' concerns, as well as developing and publishing a standard operating procedure to explain in detail how this process will take place.

Article 47/4: Are the applicant's organisation and infrastructure appropriate for providing higher education and undertaking research?

4.1 Requirements are largely met. Some infrastructure issues are unresolved, such as the laboratories discussed above in paragraph 2.7. According to the Agreement with the AUM, the latter will support the IEU in logistical as well as academic matters. However, the IEU is bound to have its license confirmed, as per Maltese Law, before it can take further action on these. The desk-based due-diligence process carried out by the panel appointed by MFHEA was intended to ensure that IEU operations in Malta are according to law. The panel probed the IEU's intentions to deal with these issues, and is satisfied that the IEU understands their importance. The panel has also recommended that the MFHEA should keep a close eye on them.

4.2 The capacity and determination of the senior leaders of the IEU to organise an application for a license in Malta, and shift two major faculties and their programmes before September 2023, suggests capable organisational skills and attention to detail. Further evidence of these is supplied by the support agreements put in place with financial and student recruitment organisations, to ensure that wartime difficulties in Ukraine do not preclude timely payment of students' fees.

4.3 The facilities at AUM are appropriate for HE classrooms and desk-based research. Shortcomings of scientific provision are discussed above in paragraphs 2.7 and 4.1.

Article 47/5: What independent competence in setting up HE programmes does the applicant already have? What programmes does the applicant already provide? Who accredits them? Does the applicant already have an independent right to award degrees for such programmes?

5.1 In the unique circumstances of granting this temporary license, requirements are met. The panel is informed that the applicant is licensed in Ukraine to award degrees for the programmes it wishes to run in Malta. The applicant has been a self-accrediting institution within Ukraine since 2019. It wishes to transfer programmes in Business and Medicine to premises in Malta, working in co-operation on the premises of an accredited provider (AUM).

5.2 Because all the programmes which the IEU wishes to run in Malta are already accredited by the National Agency for Higher Education Quality Assurance in Ukraine, that regulator will remain the responsible body. The panel recommends that the IEU should make this clear to all

current and potential students. It must be unambiguously obvious that there is no responsibility for programme accreditation within Malta.

Article 47/6: To which international HE and/or research networks is the applicant already affiliated?

6.1 Requirements are met. The IEU has entered into an Agreement for academic collaboration with the AUM. The panel has evidence of contracts for medical practical training of students who complete the first three years of medical study.

6.2 A wide range of research activities have been undertaken by IEU staff, leading to international multi-authored publications in many peer-reviewed journals. There is ample evidence that the IEU is well-connected to the academic world.

Article 47/7: How does the applicant participate in national and international teaching and/or research?

7.1 The panel is satisfied this requirement is met. An Agreement is already in place with the AUM. Many staff are research-active. Students (particularly medical students) are encouraged to participate in research and to publish findings internationally as appropriate.

Thanks

Panel members appreciate the professionalism and dedication of MFHEA staff who have supported the whole process. Helpful input has been provided by the Accreditation, Legal, and Corporate departments and from MQRIC, in some cases at very short notice. Considerable effort has been made by MFHEA staff to assist Ukrainian academic colleagues and their students in such challenging times while maintaining the MFHEA's statutory duties to uphold the law and the academic reputation of Malta. The panel has found their contributions invaluable. Its members hope their Ukrainian colleagues will be able to carry out their duties in Malta in a safe and academically nurturing environment, and also see a swift return to normality in their homeland.

Panel signatures:



Dr Robert Cassar



Dr Janet Harvey
Chair



Mr Giorgi Munjishvili