

## 3.4 Learners outside Ireland

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**Where the online learning element is to be offered to learners based outside of Ireland, due diligence and risk management arrangements are robust and fit-for-purpose.<sup>2</sup>**

Procedures in place include:

3.4.1 Internal approval processes to confirm that any relevant legal or regulatory requirements (e.g. in each jurisdiction) have been met. For example:

- requirements for local accreditation or recognition by statutory or regulatory bodies, which may be at programme and/or institutional level

<sup>2</sup> For the purpose of this document “outside of Ireland” refers to countries outside the State.

- permission for foreign providers to operate within the local jurisdiction (if required)
- cultural considerations that may inhibit group interactions, for example between different religious groupings or synchronous delivery of content where gender considerations are required
- regulations that may prohibit or inhibit the charging of fees
- other jurisdictional requirements that may influence the blend of learning permitted

3.4.2 An internal process to consider and approve business models and associated risk management to ensure viability and sustainability of quality. Matters that are specific or heightened in the online learning context include:

- taxation
- definitions of 'student' that may impact funding streams
- the location of servers
- employment law that may inhibit the ability to employ local tutors or use other support functions
- recognition of qualifications gained through online learning

3.4.3 That appropriate legal advice is sought to consider, for example, that:

- learners' interests are safeguarded
- the location of servers will meet the needs of stakeholders in each jurisdiction
- provider's software or learning resources licences will be valid; or other arrangements are in place
- due regard is paid to local financial regulations or taxation issues
- due regard is paid to local employment law
- due regard is paid to local law or expectations of consumer protection
- intellectual property rights or copyright are not compromised

3.4.4 That the provider can demonstrate that, before offering blended learning options to learners outside Ireland, it has tested delivery systems to ensure that learners outside Ireland will have equal access to support and to learning resources. For example, commonly used platforms routinely available in one country may not be available in other jurisdictions.