

Foundation for the Accreditation of Study Programmes in Germany

Accreditation Council

Evaluation report

Self-evaluation report for the external review of the Foundation for the Accreditation of Study Programmes in Germany

29. November 2012

Foundation for the Accreditation of Study Programmes in Germany

Accreditation Council ■■

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Head Office of the *Foundation for Accreditation of Study Programmes in Germany*

Adenauerallee 73, 53113 Bonn

Phone.: 0228 - 338 306 – 0

Fax: 0228 - 338 306 – 79

E-Mail: akr@akkreditierungsrat.de

Internet: <http://www.akkreditierungsrat.de>

Editorial: Franz Börsch M.A.

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Abbreviations

ASG	Accreditation Foundation Law [Law establishing the Foundation “Foundation for the Accreditation of Study Programmes in Germany” of 15 February 2005]
BDA	Confederation of German Employers' Associations
DGB	General German Trade Union
ENQA	European Association for Quality Assurance in Higher Education
EQAR	European Quality Assurance Register for Higher Education
ESG	European Standards and Guidelines [Standards and Guidelines for Quality Assurance in the European Higher Education Area]
GRC	German Rectors' Conference
HRG	Framework Act for Higher Education
KMK	Standing Conference of the Ministers of Education and Cultural Affairs of the Länder in the Federal Republic of Germany
INQAAHE	International Network for Quality Assurance Agencies in Higher Education
Foundation	Foundation for the Accreditation of Study Programmes in Germany

Introduction

The evaluation of the Foundation: Task and objective

In its statutes, the Foundation for the Accreditation of Study Programmes in Germany obliged itself to regularly carry out external evaluations with international participation. The evaluation procedures performed to date took place in 2001 and 2008. By letter dated 30 November 2011, the Foundation has commissioned ENQA with the external evaluation. In addition to the overarching aim of enhancing quality, the procedure is to serve as an assessment of compliance with the Standards and Guidelines for Quality Assurance in the European Higher Education Area (ESG) and fulfilment of the statutory tasks of the Foundation pursuant to the Accreditation Foundation Law (ASG). ENQA is to base the performance of the procedure on the “Guidelines for External Reviews of Quality Assurance Agencies in the European Higher Education Area”.

Implementation of recommendations from the previous evaluation

The previous evaluation of the Foundation in 2008 had resulted in a predominantly positive assessment. The Accreditation Council viewed this as encouragement to continue its path of consistent further development of its procedures and assessment criteria. The Accreditation Council took the criticism formulated by the expert group and its recommendations for improvement very seriously and has utilised them to undertake corresponding amendments of its rules and to intensify its activities in important activity areas.

The Accreditation Council assigned particular importance to the expert group’s prompt to analyse experience from the first system accreditation procedures and the manner in which their underlying rules have taken effect, and to keep the level of detail and formalisation of the rules for system accreditation low. The evaluation recommended, within which all those involved in the procedures participated, resulted in a conclusive progress report that will serve as a basis for further development of the rules (see [Chapter 4.1](#)).

The Accreditation Council has also reacted to the suggestion of a more intensified information policy to make options for appeals more transparent for higher education institutions. For example, the agencies are now obliged to inform of appeal options in agreements between the agency and the higher education institution. This ensures that every higher education institution is informed of conditions and processes of appeal procedures in detail on conclusion of the agreement.

Ensuring a consistent decision-making practice of the agencies is one of the central tasks of the Accreditation Council. Procedures for the accreditation or reaccreditation of the agencies, and also the systematic monitoring of individual accreditation procedures undertaken by the agencies serve this purpose. In addition, the head office of the Accreditation Council has prepared a comprehensive report on the various procedural- and decision-making practices of the agencies in programme accreditation in order to systematically identify possible inconsistencies with regard to the accreditation practice of the agencies (Annex 5.6).

As the expert group noted in its evaluation report, there is a strong link between the quality of an accreditation procedure and the qualification of the experts involved. In the past years, the Accreditation Council has intensively devoted itself to the subject of expert briefing. It has evaluated the agencies’

measures (Annex 5.5) and has added the briefing of experts to its rules as a mandatory procedural element.

Further measures taken by the Accreditation Council in response to the expert group's prompts and recommendations will be separately presented in detail in the corresponding chapters of this report. An overview of the activities of the Accreditation Council since the last evaluation and measures for implementing the recommendations of the expert group was adopted by the Accreditation Council at its 69th meeting in December 2011 (Annex 0.2).

Preparation of the report

This report is based on the preliminary work of a working group established by the Accreditation Council (working group "Evaluation") and was adopted by the Accreditation Council on 29 November 2012. Preparing the report gave Accreditation Council members and head office staff the opportunity to critically reflect on the own activity and to reach starting points for enhancing the fundamentals of the Foundation the Foundation's and methods of working.

The participants look forward to a critical analysis and constructive discussions with the external experts, and to utilising their findings and assessments for the further development of the Foundation's work.

Interviews of the Stakeholder

At its 68th meeting the Accreditation Council decided to interview also the stakeholder groups in drawing up the self evaluation report. For this reason the working group "Evaluation" developed a questionnaire that was sent to the German Rectors' Conference, the Standing Conference of the Ministers of Education and Cultural Affairs of the Länder in the Federal Republic of Germany, the Confederation of German Employers' Associations (BDA), the General German Trade Union (DGB), the agencies and the students. The responses of the stakeholder groups represented a helpful source for the evaluation of the foundations's work from an extern perspective. The responses of the stakeholder groups are included in this report where pertinent.

The Accreditation Council adopted the present report at its 73th meeting on 29 November 2012 in Berlin.

1. An overview of the German higher education system

Germany's higher education system has traditionally been highly developed. In 1386, the first university in the geographical area known as Germany today was founded in Heidelberg. Today, the German higher education system is primarily characterised by three structural elements:

Constitutional responsibility

Germany is a federally structured country with 16 federal states. Responsibility for higher education lies predominantly with the states, or "Länder". To coordinate matters related to higher education, the states have established the Standing Conference of the Ministers of Education and Cultural Affairs of the Länder (KMK).

State- and non-state universities and universities of applied sciences

In Germany, there are currently 387 state- and private but state-recognised higher education institutions; these include 110 universities and equivalent higher education institutions (technical higher education institutions, pedagogical higher education institutions, theological higher education institutions and others), 221 universities of applied sciences (including public administration universities), and 56 art- and music universities.

Shared characteristic of the universities and equivalent higher education institutions is the traditional authority to award doctoral degrees. Further characteristics include academic research, particularly basic research, and training of junior academic staff.

A key feature of the universities of applied sciences is the practical orientation of the teaching, integrated practical semesters, and professors who have gathered professional experience in addition to their academic qualification outside of the higher education institution. The emphasis of their research lies in its application.

Art- and music universities offer study programmes in fine-, design- and performing arts, or in musical subjects, partially also in the accompanying academic disciplines.

In the summer semester of 2012, a total of approx. 2.34 million students were enrolled at German higher education institutions – 1.56 million of these were enrolled at universities, approx. 745,000 at universities of applied sciences.

Of the 387 total higher education institutions, 107 are non-state institutions. These normally offer a limited range of subjects and, with an average of 1,120 students, are significantly smaller than state higher education institutions. A total of approx. 120,000 students are enrolled at non-state higher education institutions. With regard to quality assurance in learning and teaching, state- and state-recognised (non-state) higher education institutions are treated equally.

As of November this year, 3,816 of a total of 7,286 Bachelor's study programmes and 3,724 of 6,772 Master's study programmes are accredited.

Financing

The financing of the German higher education system is based on the competencies pursuant to the Basic Law of the Federal Republic of Germany. Higher education institutions receive the largest part of their funding from the state, i.e. the Länder. The budget funds of the Länder cover personnel- and ma-

terial costs, as well as investments. Research and teaching at the higher education institutions are additionally funded through special programmes financed by the government and the Länder. Higher education institutions also apply for state- and private funds (external funds), particularly for financing research projects.

2. The German accreditation system

2.1 External quality assurance in learning and teaching since 1994

As in many other western European countries, the current system and quality assurance procedures at higher education institutions in Germany have predominantly developed since the mid-nineties. With the EU project “Quality assessment of higher education institutions”, the two-tier evaluation approach – comprising an internal self-evaluation and an external review – was implemented in Germany for the first time in 1994. In its basic principles, it continues to be applied today.

As a statutory obligation, quality assurance of teaching with the inclusion of students was introduced with the amendment of the Framework Act for Higher Education in 1998 (§ 6 HRG in the version adopted on 20 August 1998) and subsequently established in guidelines of the Higher Education Acts of the Länder. In 1998, the Standing Conference of the Ministers of Education and Cultural Affairs of the Länder (KMK) and the German Rectors’ Conference (GRC) simultaneously introduced the system for accreditation of study programmes with the establishment of the Accreditation Council.

The following features are characteristic for the German system of external quality assurance at higher education institutions:

1. Accreditation and evaluation

Accreditation and evaluation differ with regard to extent and detail of legal parameters: While the accreditation of study programmes or system accreditation is uniformly regulated for all higher education institutions based on the Higher Education Acts of the Länder, on resolutions of the KMK, and on resolutions of the Accreditation Council, there are no common guidelines of the Länder for the evaluation of learning and teaching. As a central element of the internal quality assurance of higher education institutions, the evaluation of learning and teaching plays an important role in the assessment of the quality assurance system for system accreditation. But also for programme accreditation, a higher education institution must demonstrate that it utilises the evaluation results for further development of its study programmes.

2. Predominant procedural separation between the areas of learning and teaching, and of research

Unlike as with teaching, a system of peer reviews for externally funded research projects has established itself as the most important procedure for quality assurance in research; co-existing with this, there are agencies in some Länder that regularly carry out research evaluations.

2.2 Fundamental elements of accreditation

Programme- and system accreditation

Subject matter of accreditation are Bachelor's- and Master's study programmes (programme accreditation), or internal quality assurance systems (system accreditation) of state- or state-recognised higher education institutions in Germany. The accreditation of an internal quality assurance system has the consequence that all Bachelor's- and Master's study programmes reviewed through the quality assurance system of the higher education institution in question are accredited and, like the programme-accredited study programmes, carry the quality seal of the Foundation. The accreditation plays a central role in procedures for state recognition.

Accreditations are always limited in term. In the case of defects that are presumably correctable within nine months, the accreditation for programme- and system accreditation is awarded with conditions that must be demonstrably fulfilled by the higher education institution within a certain term.

Independently of the programme- and system accreditation system, there is a non-state-funded system for institutional accreditation of private higher education institutions in Germany. The institutional accreditation of private higher education institutions takes place through the German Council of Sciences and Humanities and is normally a requirement for state recognition of the institution.¹

Two-tier system

The German accreditation system is decentrally organised and characterised by accreditation of study programmes or internal quality assurance systems of higher education institutions through accreditation agencies. These agencies require certification (accreditation) by the Accreditation Council. The certification of accreditation agencies is limited to a term of five years and may be awarded subject to conditions.

As central decision-making body of the Foundation, the Accreditation Council defines the basic requirements for accreditation of study programmes, internal quality assurance systems of higher education institutions, and accreditation agencies. It ensures that accreditation is awarded on the basis of reliable, transparent and internationally recognised criteria.

Currently, ten agencies have been certified by the Accreditation Council (Annex 3.5). With one of the ten agencies, the certification is limited to carrying out programme accreditation procedures.

2.3 Development of the accreditation system

Due to changing frame conditions, the accreditation system in Germany has continuously developed since its introduction in 1999. The dynamics of the Bologna Process at European level, the adaptation to a tiered study structure and the resulting reorganisation processes in the German higher education system, as well as the debate regarding responsibility for quality and quality assurance in higher education have all exerted particular influence.

¹ Cf. www.wissenschaftsrat.de

In a first pilot phase (1999 to 2002), the study programme accreditation was established based on resolutions of the Standing Conference of the Ministers of Education and Cultural Affairs of the Länder (KMK) and the German Rectors' Conference (GRC) of 3 December and 6 July 1998 with the initial, primary objective of ensuring quality, transparency and comparability of the then newly introduced Bachelor's- and Master's study programmes. For this purpose, the organisations undertook a paradigm shift by replacing the previous quality assurance, which had been performed as part of the state certification of study programmes based on framework examination regulations, with non-governmental quality assurance that is regularly carried out. For the organisation of these procedures, the KMK and GRC initially established the Accreditation Council as part of a three-year pilot project. Due to the predominantly positive evaluation result in 2001, the KMK adopted a resolution to fundamentally maintain the accreditation system with a central Accreditation Council and a network of decentralised accreditation agencies.

With the adoption of the Law Establishing the Foundation "Foundation for the Accreditation of Study Programmes in Germany" (subsequent referred to as the Accreditation Foundation Law, ASG) on 15 February 2005, the Accreditation Council was transferred to a foundation under public law with legal capacity and its domicile in Bonn.

Another important milestone in the further development of the accreditation system in Germany is the introduction of system accreditation in 2007/2008. This allows higher education institutions to have their internal quality assurance systems certified rather than individual study programmes (see [Chapter 4.1](#)). After a positive system accreditation, all study programmes of a higher education institution that have been set up as specified by the accredited system or that already have been the subject matter of internal quality assurance as specified by the accredited system are accredited. With system accreditation, the Accreditation Council has developed an instrument that allows higher education institutions to internalise the auditing of study programmes in a very extensive manner, for the first time. The institutions thereby assume most of the responsibility for quality of learning and teaching themselves.

2.4 Legal basis

The current German accreditation system is fundamentally based on the following legal provisions:

- ▶ North Rhine-Westphalia Law Establishing the Foundation "Foundation for the Accreditation of Study Programmes in Germany" of 15 February 2005 in the version of 01.04.2008 (Annex 1.1). This defines the tasks of the Foundation and its bodies, and defines the Accreditation Council as the central body of the Foundation.
- ▶ Resolution of the KMK of 16 December 2004 "Agreement on the Foundation 'Foundation for the Accreditation of Study Programmes in Germany'" in combination with a supplementary declaration of the KMK of 15 December 2005. With these resolutions, the Länder transferred the fulfilment of their tasks to the Foundation in implementation of the Common Structural Guidelines pursuant to § 9 para. 2 HRG. (Annex 1.2)
- ▶ Common Structural Guidelines of the Länder pursuant to § 9 para. 2 HRG for the Accreditation of Bachelor's- and Master's Study Programmes of 10.10.2003 in the version of 04.02.2010 (Annex 4.2).

Pursuant to § 2 para. 1 no. 2 ASG, these are to form the basis of accreditation. They serve to guarantee equivalence between corresponding study- and examination credits, and thereby make a student's mobility between higher education institutions possible and guarantee equivalence of qualifications. The structural guidelines essentially contain rules relating to study structure and study duration, prerequisites for admittance, study programme profiles and degrees or qualification designations. The Common Structural Guidelines of the Länder are partially supplemented by state-specific structural guidelines.

► Agreements between the Foundation and the agencies pursuant to § 3 ASG. Subject of the agreements is the contractual regulation of reciprocal rights and obligations of the partners in the accreditation system (Annex 1.7).

Pursuant to § 2 para. 1 ASG, the Accreditation Council determines the minimum requirements for the accreditation of study programmes. The fundamental resolutions regarding criteria and rules of procedure are:

► Rules for the Accreditation of Agencies. Resolution adopted by the Accreditation Council on 08.12.2009 as amended on 10.12.2010 (Annex 3.1).

► Rules for the Accreditation of Study Programmes and for System Accreditation. Resolution adopted by the Accreditation Council on 08.12.2009 as amended on 23.02.2012 (Annex 4.1).

In addition, the Foundation adopted statutes on 23.06.2006 that was approved by the Ministry for Innovation, Science, Research and Technology of the State of North Rhine-Westphalia on 26 June 2006. The statutes were last amended on 10.02.2012 (Annex 1.4). In accordance with § 5 of the statutes, the Accreditation Council and Foundation Council have each drawn up rules of procedure for their respective business divisions (Annex 1.5 and Annex 1.6).

2.5 Organisational structure of the Foundation

The organisational structure and composition of the individual bodies of the Foundation are established by the Accreditation Foundation Law (Annex 1.1). Formative for the structure is the broad participation of all relevant stakeholders – higher education institutions and students, government and representatives of professional practice, along with international representatives – at all levels of the accreditation system. The law names the Accreditation Council, the Foundation Council and the Board as the bodies of the Foundation.

The Accreditation Council is the central decision-making body of the Foundation and responsible for all tasks relating to the accreditation of agencies and study programmes, i.e. for resolutions on criteria and rules of procedure, and certification of the agencies. It comprises a total of 18 members including (a) four representatives of higher education institutions, (b) four representatives of the Länder, (c) five representatives of professional practice, (d) two student representatives, (e) two international representatives with accreditation experience, and (f) a representative of the agencies with advisory vote.

The members pursuant to (a) and (d) are appointed by the GRC, the members pursuant to (b) by the KMK, the representatives of the ministries of the Länder responsible for service- and collective bargaining law by the Standing Conference of the Interior Ministers of the Länder, the members pursuant to (c) and (e) jointly by GRC and KMK, and the member pursuant to (f) by the agencies. In agreement

between the KMK and GRC, the members are appointed for the term of four years. From the members pursuant to (a) and (b), the Accreditation Council elects a chairperson and deputy chairperson, who may not belong to the same group.

The Board implements the resolutions of the Accreditation Council and manages the current business of the Foundation. The Board comprises the chairperson and deputy chairperson of the Accreditation Council, as well as the managing director of the Foundation.

The Foundation Council monitors the legal compliance and efficiency of the Foundation's business management through the Accreditation Council and the Board. The Foundation Council comprises six representatives of the Länder and five representatives of the German Rectors' Conference. The representatives of the Länder are appointed by the KMK and the representatives of the GRC are appointed by the GRC for a term of four years.

The head office supports the performance of the Foundation's business by coordinating the work of the committees, preparing the content and organisation of the meetings of the Accreditation Council and Foundation Council, guaranteeing the information flow within the Foundation, and supporting the meetings of the working groups of the Accreditation Council.

Pursuant to § 3 para. 1 of the Rules of Procedure (Annex 1.5), the Accreditation Council meets at least twice per year. However, due to the many tasks assigned to the Accreditation Council, it has normally met four times per year in the past. The meetings of the Accreditation Council are usually one day, in exceptional cases two days. In the past five years, the Foundation Council has met one- to two times per year.

The resolutions of the Accreditation Council require the majority of its members and may – by resolution of the Accreditation Council – also be passed by circulation procedure. The Accreditation Council has made use of this option in the past either in matters that could not be postponed or in cases in which draft decision templates for decisions had been revised again in content by the head office, but without the need for further discussion.

Pursuant to § 3 para. 6 of the Rules of Procedure, the Accreditation Council may employ working groups, which may also include external experts. Due to the quantity and complexity of subjects related to accreditation, it has proven to be sensible to also involve representatives of the agencies and other external experts from Germany and abroad in the work of the Accreditation Council as part of several subject-specific working groups (Annex 2.3). The early consideration of various perspectives and interests not only enriches the content of the discussion but also leads to comparatively high acceptance of Accreditation Council decisions, which are based on the preliminary work of the working groups; at the same time, the work burden of the Accreditation Council as decision-making body of the Foundation is reduced through the preparatory content work of the working groups.

3. Fulfilment of the statutory tasks

3.1 Activity framework of the Foundation

The purpose of the Foundation is established in § 2 of the Accreditation Foundation Law (ASG, Annex 1.1). Pursuant to the statutory provisions, the Foundation has the task of certifying agencies to carry out procedures for the accreditation of study programmes and of internal quality assurance systems of higher education institutions, and – with consideration of the common and state-specific structural guidelines of the Länder – to define the requirements for these procedures. In doing this, the Foundation must ensure that these requirements are reliably fulfilled by all certified agencies in a manner that maintains fair competition among the agencies. In addition, the Foundation has the task – quite generally formulated – of promoting international cooperation in the area of accreditation and quality assurance and – specifically – to determine the requirements for the recognition of accreditations by foreign institutions.

A look at the definition of these tasks in the Accreditation Foundation Law shows that while the selected formulations reflect the activity spectrum of the Foundation, they contain little information on concrete implementation of the tasks entrusted to the Foundation. For this reason, the Foundation appears to have a comparatively high degree of structural freedom at first glance. However, the Foundation's actions are strongly bound to the respective context as the Foundation is confronted with various expectations in the fulfilment of its tasks:

1. Implementation of the study reform

The introduction of accreditation in Germany was tied to a number of highly different objectives. In addition to ensuring quality, transparency and comparability of the then newly introduced Bachelor's- and Master's study programmes, the variety of study offers was also to be promoted through a broadening of the higher education institutions' freedom to design their study programmes, student mobility was to be increased, and the employability of graduates was to form a stronger focus in the designing of study programmes.

2. Guidelines of the Länder

The Foundation is obliged to consider the common and state-specific structural guidelines of the Länder in defining requirements for accreditation procedures. These guidelines are to serve to guarantee the equivalence of corresponding study- and examination results, as well as qualifications, and to facilitate the transfer between higher education institutions for greater student mobility.

3. International quality assurance standards

With the advance of the Bologna Process, a number of mobility instruments, such as the qualifications framework, the ECTS, or the diploma supplement, have been established. These facilitate the recognition of study results and are to promote mobility of students within the European higher education area. However, these instruments can only take effect when they are accompanied by quality assurance procedures that ensure the required amount of reciprocal (international) trust. In addition, the *Standards and Guidelines for Quality Assurance in the European Higher Education* (ESG) have set standards for quality assurance. This applies both for procedures at the level of internal quality assurance of higher education institutions and for procedures at the level of external quality assurance. Examples of such standards include the participation of students and international experts in quality as-

surance procedures, the publication of reports, or the independency of quality assurance institutions with regard to the definition of criteria and the adoption of recommendations or quality assessments. Aside from these points of reference that the Foundation must consider in performing its assigned tasks, the range of activities outlined above present a further task field on the systemic level: Because the development and implementation of criteria, procedural- and decision rules at both study programme level and agency level – extending beyond the already established frame conditions based on statutory provisions – has a formative effect that results in a responsibility on the part of the Foundation for the process- and structural quality of the German accreditation system as a whole. If accreditation is understood not as an end in itself but as an instrument that is to help ensure and develop the quality of learning and teaching, and which thereby pursues an object that is easy to define but distinctly difficult to comprehend, then, as a result, responsibility for the quality of accreditation lies – at least to a certain extent – with the Foundation.

As a cross-state institution that, by law, defines the minimum requirements for accreditation procedures, the Foundation clearly plays a significant role in ensuring and developing the quality of learning and teaching in German higher education institutions. At the same time, the Foundation is also one actor among many in a network of authority-, responsibility- and influence areas in the higher education- and accreditation system, some of which are clearly separated and some of which overlap. Naturally, the first actors to be mentioned are the higher education institutions, which – according to the maxims of accreditation – carry the primary responsibility for quality in learning and teaching. Then the agencies certified by the Accreditation Council are responsible for the individual accreditation procedures for study programmes or internal quality management systems of higher education institutions. The task of the Länder, however, lies in ensuring the equivalence of study degrees by providing the Common Structural Guidelines of the Länder. Yet another perspective in quality assurance is professional practice – divided into employers and employees – and that of students.

The Foundation must consider the various perspectives of the stakeholders mentioned above and their spheres of responsibility in performing its assigned tasks. In addition to the trust-based work with the agencies, the Foundation must also consistently seek cooperation with the Länder, higher education institutions, professional practice, and students.

With regard to the sphere of activity, the statutory tasks of the Foundation and its responsibilities can be summarised as follows:

1. The Foundation has a comparatively high degree of structural freedom; however, in the implementation of the tasks defined by law, it acts within the limitations of a normative set of rules. Of mention in this context are the objectives tied to the study reform, the national provisions of the Länder, and the Bologna Process in connection with the now established international standards of quality assurance.
2. Due to its formative activity, the Foundation's sphere of responsibility also extends to the system-related quality of the overall accreditation system, its processes and results.
3. The higher education and accreditation system is characterised by a number of various actors and stakeholders. Involvement (also institutionalised) of the actors and stakeholders therefore lies in the vital interest of the Foundation.

3.2 Tasks of the Foundation

3.2.1 Regulation of the minimum requirements

The Foundation has the task of enabling the functioning of the German accreditation system by regulating minimum requirements for accreditation procedures pursuant to § 2 para. 1 no. 3 ASG (Annex 1.1).

The understanding of quality that underlies the accreditation of study programmes and internal quality assurance systems of higher education institutions pursues the approach “fitness of and fitness for purpose”. This means: Both in programme accreditation and system accreditation, the validity of the objective is evaluated in connection with the higher education institution’s planned concept for achievement of this objective. However, in selecting their objectives and mode of implementation, the higher education institutions are bound to the criteria provided by the Accreditation Council. For example, the formulation of qualification objectives in programme accreditation must contain e.g. statements regarding academic- or artistic qualification, qualification that will allow the taking up of qualified employment, competence to engage in civil society, and personality development. With regard to implementation, a higher education institution must e.g. demonstrate that examinations are module-related, and knowledge- and skill-oriented, and that they serve to establish whether the formulated qualification objectives have been achieved.

The regulation of minimum requirements to be undertaken by the Accreditation Council essentially refers to the following subject areas:

1. Definition of criteria, procedural- and decision rules for the accreditation of agencies
2. Definition of criteria, procedural- and decision rules for the accreditation of study programmes
3. Definition of criteria, procedural- and decision rules for system accreditation
4. Compilation of the common and state-specific structural guidelines of the Länder into binding requirements for the agencies pursuant to § 2 para. 1 no. 2 ASG
5. Definition of prerequisites and limits for the accreditation of study programme clusters
6. Structuring of agreements that regulate the rights and obligations of the Foundation and the agencies

Results

In 2009, the Accreditation Council carried out a comprehensive revision of all of its rules. The revision was predominantly structural but also involved content. One purpose of the revision was to improve readability and manageability of the rules. This was achieved through a restructuring and combining of existing resolutions, the removal of redundant provisions, and a style of resolution text that placed emphasis on comprehensibility.

To provide agencies and higher education institutions with a clear and comprehensive compilation of all accreditation-relevant rules for the accreditation of study programmes (programme accreditation), internal quality assurance systems of higher education institutions (system accreditation) and agencies (certification procedures), the Accreditation Council combined what had previously been a large number of individual resolution texts into two fundamental resolutions:

1. *Rules for the Accreditation of Agencies* (Annex 3.1). This contains all criteria, procedural- and decision rules for procedures for accreditation of agencies.

2. *Rules for the Accreditation of Study Programmes and for System Accreditation* (Annex 4.1). This contains all criteria, procedural- and decision rules for the accreditation of study programmes and for system accreditation, including special provisions for the accreditation of combined study programmes, for cluster accreditation procedures, for the accreditation of intensive study programmes, and for concept accreditation.

The *Standards and Guidelines for Quality Assurance in the European Higher Education Area* is thoroughly considered in the above-mentioned rules of the Accreditation Council.

Rules for the Accreditation of Agencies

The Rules for the Accreditation of Agencies now represent an established and predominantly accepted canon of criteria, procedural- and decision rules for procedures for the accreditation of agencies and forms the basis for decisions of the Accreditation Council for the certification of accreditation agencies. Nevertheless, the Accreditation Council regularly evaluates its experience with the accreditation of agencies and undertakes corresponding amendments in order to improve the procedure.

Rules for the Accreditation of Study Programmes:

At its 65th meeting in December 2010, the Accreditation Council again undertook selected revisions of the criteria and rules of procedure, presented in example in the following:

In 2010, a working group called “Study programmes with a special profile demand” consisting of members of the Accreditation Council, representatives of the agencies and the Länder, and external experts, examined experience gathered with the accreditation of these study programmes. It was also to be evaluated whether and to what extent additions to or amendments of the rules are necessary for these special study programmes. The working group examined the following study concepts: dual study programmes, advanced study programmes, part-time study programmes, eLearning- and distance learning study programmes, intensive study programmes and study programmes for teaching training. As a result of the working group’s consultations, the Accreditation Council introduced the option of bundeling accreditation procedures for teacher-training study programmes based on the type of school, in justified cases, and in addition to the clustering of academically affine study programmes. This particularly applies when the disciplinary education of the students is secondary to the pedagogical training (teaching methodology and educational sciences).

The rules of procedure for the accreditation of joint programmes adopted in 2009 were also revised in December 2010 after the evaluation of a pilot project for the accreditation of a joint study programme with German and three foreign higher education institutions. In this pilot project, the Accreditation Council recognised the accreditation decision of a foreign accreditation institution and concluded from the evaluation of the process that, for objective reasons and reasons of capacity, the recognition should lie with the accreditation agencies in the future. According to this, agencies can recognise accreditation decisions of foreign accreditation institutions themselves when these are also full members of the European Association for Quality Assurance in Higher Education (ENQA) or listed in the European Quality Assurance Register (EQAR).

Based on a survey with higher education institutions, the Accreditation Council also considerably reduced the number of on-site visits for the accreditation of joint programmes; now, only one on-site visit at one location is required. It must be ensured that resources and study organisation comply with the requirements of the Accreditation Council at all sites.

Rules for the accreditation of study programme clusters

Prior to the introduction of system accreditation, the Accreditation Council implemented “cluster accreditation”, thereby providing an opportunity to increase procedural efficiency in programme accreditation under certain circumstances. As part of cluster accreditation and pursuant to Clause 1.3 of the “Rules for the Accreditation of Study Programmes and for System Accreditation”, several academically affine study programmes may be accredited in a joint procedure, whereby sufficient assessment of all partial study programmes must be ensured. Affinity is, however, only given when it extends beyond the mere assignment to a disciplinary culture and there is disciplinary closeness between the (partial) study programmes.

Compilation of the common and state-specific structural guidelines of the Länder

In addition to compiling the Common Structural Guidelines of the Länder into binding guidelines for the agencies, reflected, among other things, in the resolution “Norms for the Interpretation of the Common Structural Guidelines of the Länder” of 12.02.2010 (Annex 4.3), the head office has carried out several Länder surveys in the past years in order to be able to inform agencies and higher education institutions of the current status of the state-specific structural guidelines to be considered in accreditation. The overview is published on the Accreditation Council’s website (Annex 4.4). In addition, the head office is currently compiling an overview of further, state-specific guidelines “beneath” the structural guidelines resulting from the respective Higher Education Acts of the Länder and directives or enactments of the state ministries. The Accreditation Council informs the agencies of new or amended common or state-specific guidelines of the Länder in the form of electronically forwarded circular letters (Annex 4.5).

In the agreements between the Foundation and the individual agencies that have been accredited by the Accreditation Council (Annex 1.7), the agencies are bound to apply the common or state-specific guidelines, as well as the remaining guidelines of the Accreditation Council in implementation of § 2 ASG. Should an agency in an accreditation procedure find itself confronted with contradictions between common and state-specific structural guidelines, or other statutory provisions of the state, the Accreditation Council has developed a corresponding procedure jointly with the agencies. Pursuant to § 5 para. 4 of the agreement between the Foundation and the agency, the agency is obliged to first suspend the accreditation procedure and to consult the Accreditation Council for a statement on the circumstances and legal situation that is binding for the accreditation procedure. The Accreditation Council or the Board of the Foundation submits the statement to the state in question pursuant to the Accreditation Council resolution of 17.07.2006 with the request for clarification; if clarification is not possible then the matter or legal question is to be submitted in a second step to the Standing Conference of the Ministers of Education and Cultural Affairs of the Länder with the request for clarification. This ensures a clear assignment of the responsibilities of the Foundation, agencies and government pursuant to the responsibility areas mentioned further above.

Evaluation

The definition of criteria, procedural- and decision rules for the accreditation of study programmes and for system accreditation, as well as for the accreditation of agencies, is a core task of the Accreditation Council.

With the adoption of the “Rules for the Accreditation of Study Programmes and for System Accreditation” (Annex 4.1) and the “Rules for the Accreditation of Agencies” (Annex 3.1), the Accreditation Council has successfully provided higher education institutions, agencies and the interested public with a transparent, manageable and reliable basis for reviews and decisions in accreditation procedures and for ensuring reliable certification of agencies and study programmes.

Procedural- and decision rules

The procedural- and decision rules for programme accreditation developed by the Accreditation Council and consistently adapted to changed frame conditions have been ensuring a more or less smooth procedural course of accreditation procedures undertaken by the agencies for many years. However, this does not mean that there is no further need to revise and develop. The Accreditation Council sees a need for reform e.g. with the accreditation of study programmes at private higher education institutions in the course of formation, or for the approval of rule deviations with joint programmes offered by system-accredited higher education institutions. The rules of procedure for system accreditation were revised for the first time after an evaluation of the first six procedures (see Chapter [Chapter 4.1](#)).

Criteria for the accreditation of study programmes

In drafting criteria for the accreditation of study programmes, the Accreditation Council faces two conflicting priorities. One matter is the level of detail of the criteria and another matter is the question of their disciplinary orientation. The criteria are to allow higher education institutions sufficiently broad freedom to structure their study programmes and, at the same time, the criteria need to be designed in such a manner that they ensure equal treatment of the higher education institutions and a minimum amount of comparability of accreditation results. In this respect, the Accreditation Council aims to prevent detailed rules and, instead, strives to create a framework that leaves the agencies freedom to give attention to individual cases. In the past, the objective of this approach has repeatedly been the subject of controversial discussions. Some argue that gaps in the rules promote varying and therefore inconsistent decision-making practices in the agencies, which stand in competition with each other; this leads, in the end, to unequal treatment of the higher education institutions. At the same time, however, it is part of the nature of accreditation to intentionally allow variety and to give preference to the individual case in a peer-centred procedure over a perspective that is oriented on finely detailed standards. In the view of the Accreditation Council, the primary challenge here is to not react to the differentiation of study offers with a demand for more and more detailed rules, but, instead, to responsibly utilise the existing scope of interpretation.

There has repeatedly been a similar discussion regarding the consideration of disciplinary standards in accreditation. In particular, some field specific scientific societies argue that the review of study programmes performed for accreditation is of a purely formal nature and dispenses with a critical assessment of subject contents. In response to this reproach, the Accreditation Council has repeatedly made it clear that the disciplinary and content-related assessment of a study programme is of course an important element of the accreditation procedure. However, the disciplinary or content-related as-

assessment is not based on predetermined disciplinary standards, but on a peer-review principle in which the discipline-related criteria of the peers result directly from the general disciplinary consensus with regard to the requirements for content in a professionally qualifying higher education programme in the respective discipline. In this manner, the peer-centred accreditation procedure accommodates the higher education institution's autonomy claim by allowing the development of innovative study concepts and, at the same time, by ensuring independent assessment of study programmes in an academically adequate procedure. Nevertheless, the criticism from academics and practitioners of professions that subject matter and employability have not received the priority they should have in accreditation procedures has been taken seriously. At its 74th meeting on 28.06.2012 in Berlin, the Accreditation Council plans to set up a working group that will consider the interests of all involved, along with the European and international debates, in examining the question of whether and to what extent the principle of responsibility for quality of higher education and science can be combined with disciplinary orientation and employability at the systemic level (rather than at the level of individual agencies). The aim is to strengthen acceptance of the accreditation system and the legitimating of procedures and reference frameworks.

With regard to the assessment of disciplinary orientation and employability, the agencies also have the duty to inform their experts of the significance of these subjects and to ensure consideration of the corresponding criteria.

Criteria for system accreditation

The criteria for system accreditation also pursue the declared aim of granting higher education institutions the greatest possible freedom in structuring their quality assurance systems. Derived from the Foundation's understanding of quality and the approach of "fitness of and fitness for purpose" based on this, the criteria for system accreditation also serve to assess the validity of the objective in connection with the objective fulfilment (see in greater detail, [Chapter 4.1](#)).

Compilation of the common or state-specific structural guidelines

The compilation of the common or state-specific structural guidelines primarily takes the form of forwarding the respective guidelines or resolution texts to the agencies. Agencies and higher education institutions often face difficulties in the practical application of these guidelines resulting from contradictions between the common and state-specific guidelines. As the Accreditation Council is legally obliged to ensure binding application of both the common and state-specific guidelines by the agencies, the Accreditation Council (and thereby the agency and higher education institution in question) is sometimes faced with a nearly impossible task. In this context, the Accreditation Council expressly welcomes the instruction of the commission of the KMK "Quality Assurance in Higher Education Institutions" to treat this problem.

A further difficulty in the application of the Common Structural Guidelines of the Länder results from the question of how to deal with the evident freedom to interpret the guidelines. While particularly the Länder emphasise the aspect that the room for interpretation left by the Common Structural Guidelines of the Länder is to be maintained so as to allow innovative models and developments at higher education institutions, some agencies have repeatedly expressed the wish that the Accreditation Council may present interpretation guidelines for those parts of the structural guidelines which require interpretation.

To date, it has been the Accreditation Council's practice to formulate instructions for interpretation particularly in cases in which there is an evident need for clarification on the part of the agencies and higher education institutions. This was the case e.g. when the KMK revised the workload of 30 hours for one ECTS credits and returned to a corridor regulation (25 to 30 hours per ECTS credits). As this change of rule led to a high number of enquiries, above all from higher education institutions, the Accreditation Council saw a need to inform the agencies of the now possible models of ECTS calculation in a circular letter. The Accreditation Council intentionally maintained the remaining interpretation freedom opened by the regulation.

In this context, some agencies have criticised that, in the past, the Accreditation Council has not always conclusively explained in which cases a guideline interpretation is to be made or not (see the replies of the agencies, Annex 0.3). Furthermore, the informational instrument of the circular letter chosen by the Accreditation Council is not a fully suitable mode for informing the higher education public of the interpretation of rules, criteria and structural guidelines in a transparent manner. The Accreditation Council will take this criticism as an opportunity to reassess its current communication practices and to possibly optimise its information instruments.

Empirical basis of the resolutions

In the past, the further development of criteria and rules of procedure by the Accreditation Council has always involved the stakeholders and the agencies. This practice of involvement is not only the result of the internal quality assurance system of the Foundation, but also an expression and manifestation of its understanding of quality. The instruments used in this context, such as surveys of selected higher education institutions – e.g. for the new version of the resolution for accreditation of joint programmes –, the involvement of international experts, or also the regularly organised round table meetings with the agencies ensure that the criteria that form the basis of accreditation are developed or further developed based on knowledge from experience in national and international accreditation practice. In this context, internal assessments are also to be mentioned, which the head office has carried out for individual aspects of accreditation practice (see [Chapter 5.1.8](#)).

This type of consideration of experience-based knowledge is to be clearly differentiated from impact research in the narrower sense, as discussed by the expert group in the previous evaluation of the Foundation. An impact analysis examining the correlation between the Accreditation Council's criteria and procedural rules and the quality of learning and teaching can be referred to as a long-year desideratum of the Accreditation Council. Subject of this type of analysis could be the impact and objective achievement of the accreditation in general, as well as the correlation between individual criteria and expectations of quality tied to them.

The findings of an impact analysis could ideally be referred to as a starting point for further development of assessment parameters that is more strongly empirical. However, preliminary discussions with selected higher education researchers showed that the anticipated scientific method discussion would raise a number of questions that, with regard to the validity and significance of the study findings, must be taken seriously. Due to tight personnel resources and other reasons, the Accreditation Council feels that a study on the impact and/or perception of accreditation should not be carried out by the Accreditation Council itself. The Accreditation Council has therefore recently decided to commission a

research institution with the implementation of a study using external funding that is yet to be raised (Annex 1.11).

Aside from this, the Accreditation Council will support the INCHER research project “Evaluation of innovations in the study system at public higher education institutions through the accreditation system in Germany” (EISHA), which is currently in planning, to the best of its abilities. It will assist the project team with the generation of data and information within a certain scope and be available as a discussion partner for the planned interviews.

Accreditation of programme clusters

Cluster accreditation now represents a frequently demanded procedural variation for accreditation. In addition to the synergy effects this procedure normally entails, cluster accreditation offers the advantage of reviewing the overall concept developed by the higher education institution as part of the accreditation procedure in the case of study programmes that are strongly related in structure or disciplinary aspects.

Although cluster accreditation has been very positively received by higher education institutions and agencies, there were some initial, negative accompanying effects that became apparent: For example, the number of study programmes represented in a programme cluster was too high in relation to the number of experts involved in individual procedures, the disciplinary affinity of the programmes has sometimes been very broadly interpreted, and the composition of the expert groups often does not adequately consider all subjects included in the programme cluster in question. The Accreditation Council reacted to criticism of this, particularly from students, and worked toward a rule-compliant implementation of the procedure with the agencies at round table meetings; in addition, the Accreditation Council has also placed special focus on agency practices for cluster accreditation with the most recent reaccreditation procedures and, in one case, has issued a corresponding condition. To counteract the tendency toward significant underrepresentation of practitioners of professions and students in the expert groups, the Accreditation Council has adopted a regulation in 2012 according to which the restriction to only one practitioner of a profession and one student per procedure requires justification (see Clause 1.3.2 of the Rules for the Accreditation of Study Programmes and for System Accreditation).

Accreditation of joint programmes

Joint programmes can make an important contribution to the internationalisation of higher education provided they fulfil the special profile demand tied to this type of study programme. To what extent this is the case with individual programmes is one of the central questions to be answered for accreditation procedures. In drafting the rules for joint programmes, the Accreditation Council therefore adhered to the fundamental principle that the subject of accreditation must always be the joint programme as a whole, including the cooperation structures on which the programme is based and which, as experience has shown, are decisive for the quality of a joint programme. The Accreditation Council believes that the accreditation procedure itself must fulfil the demand of internationality, e.g. through implementation of the procedure by several, cooperating agencies. The Accreditation Council is aware that procedures for accreditation of joint programmes normally entail special challenges for higher education institutions and agencies. For this reason, the revision of the accreditation rules for these study programmes targeted the reduction of the procedural burden to the greatest extent possible. The com-

plexity of a joint programme – and thereby also the complexity of the accreditation procedure to be carried out – grows with the number of participating higher education institutions and, above all, with the number of partner countries not belonging to the European higher education area. To what degree the rules of the Accreditation Council should be further opened or made more flexible for highly complex procedures, as promoted by some actors (see the replies of the agencies, Annex 0.3 and replies of the stakeholders, Annex 0.4), should be assessed on medium-term once sufficient progress values are available.

Revision cycle of the accreditation rules

To ensure the practicability of its procedures and criteria, the Accreditation Council considers it its task to continuously assess the fundamental resolutions with regard to their suitability and thoroughness. For this purpose, the Accreditation Council considers suggestions primarily submitted by the agencies based on their practical experience. In updating its resolutions, the Accreditation Council must consider two conflicting quality principles: Rules that have proven to be unsuitable in practice must be corrected as soon as possible and – formulated very generally – the Council must also try to fulfil the demand of consistent optimisation of its framework guidelines. At the same time, the Accreditation Council must guarantee maximum possible reliability and keep the frequency of revisions of its resolutions within an appropriate scope. The Accreditation Council strives to limit the objective conflicts arising from these two opposing quality principles through a transparent information policy toward the agencies and higher education institutions (see [Chapter 5.8](#)).

3.2.2 Accreditation of agencies

Pursuant to § 2 para. 1 no. 1 ASG, one of the central operative tasks that the Foundation for the Accreditation of Study Programmes in Germany must regularly carry out is the accreditation and reaccreditation of accreditation agencies. If an agency has been accredited by the Accreditation Council then it is certified – depending on the application of the agency – to carry out procedures for programme accreditation and/or for system accreditation, and is thereby authorised to award the quality seal of the Accreditation Council. The certification of agencies is based on the “Rules for the Accreditation of Agencies” of 08.12.2009 in the version of 10.12.2010, which also comprise the *Standards and Guidelines for Quality Assurance in the European Higher Education Area* (Annex 3.1).

For the certification procedure, the Accreditation Council appoints an expert group that reviews the agency in question based on the criteria (Clause 2.1 to 2.7 of the “Rules for the Accreditation of Agencies”). Normally comprising five members, the expert group includes one member of the Accreditation Council, as well as representatives of the relevant stakeholders. These particularly include academia, students and practitioners of professions. Two members of the expert group should also come from a foreign country. Since the beginning of 2012, the appointment of a member of the Accreditation Council has been discontinued in order to ensure a clear separation between review and the making of resolutions, and to thereby reflect the common international practice. A corresponding amendment of the procedural rules will be undertaken by the Accreditation Council at the next revision. The review of an agency is based on the following procedural elements:

- an analysis of the explanatory statement for the application,

- a progress report by the agency on its activity during the expired accreditation term,
- an on-site visit of the agency comprising participation in a meeting of the decision-making committee responsible for the final decision on accreditation applications,
- separate discussions with (a) the management of the agency, (b) the staff, (c) a selection of experts who work for the agency, and (d) representatives of higher education institutions (teachers and students) who have absolved the accreditation procedure of the agency,
- participation in an on-site visit of the agency in a quality assurance procedure (only with the first-time accreditation of an agency) and
- evaluations by the Accreditation Council since the last accreditation, provided it is not a first-time accreditation.

Before the certification decision, the agency receives the expert report without recommendation of decision for its statement. The Accreditation Council may also hold a hearing of the agency. Following this procedure, the Accreditation Council publishes its decision, the explanatory statement for the application, the report and the statement of the agency.

Results

Accredited agencies

Currently, nine agencies are certified to carry out procedures for programme- and system accreditation; one agency is certified to carry out procedures for programme accreditation. Since the last evaluation of the Foundation in spring 2008, the Accreditation Council has carried out the following certification procedures:

ACQUIN, reaccreditation, certification for programme- and system accreditation, 08.06.2011

AHPGS, reaccreditation, certification for programme- and system accreditation, 03.03.2009

AKAST, accreditation, certification for programme accreditation, 31.10.2008

AQA, accreditation, certification for programme- and system accreditation, 09.06.2009 / 12.02.2010

AQAS, reaccreditation, certification for programme- and system accreditation, 23.02.2012

ASIIN, reaccreditation, certification for programme- and system accreditation, 16.02.2011

evalag, accreditation, certification for programme- and system accreditation, 01.10.2009

FIBAA, reaccreditation, certification for programme- and system accreditation, 23.02.2012

OAQ, accreditation, certification for programme- and system accreditation, 09.06.2009

ZEVA, reaccreditation, certification for programme- and system accreditation, 16.02.2011

Since 2000, the Accreditation Council has made a total of 23 accreditation- and reaccreditation decisions.

Feedback discussions with the agencies for opening the procedure

With the revision of the "Rules for the Accreditation of Agencies" in December 2010, the applicant agency in a new certification procedure (reaccreditation) will be asked to present a progress report on

its activities during the expired accreditation term. In addition, a feedback discussion takes place between the Accreditation Council and the agency in question before the procedure is opened that is primarily to give the agency the opportunity to report its experiences in working together with the Accreditation Council and with the framework conditions issued by the Accreditation Council.

Briefing of the experts

For procedural quality, the Accreditation Council assigns central importance to the intensive briefing of experts for the certification procedure. In reference to Clause 1.3 of the “Rules for the Accreditation of Agencies”, it therefore prepares the expert group for the expert activity in general and specifically for the procedure in question prior to the on-site visit. It ensures that only experts with extensive knowledge of accreditation and quality assurance, as well as of the assessment criteria and rules of procedure of the Accreditation Council, and who have been familiarised with the application of the relevant rules are entrusted with the review. This primarily comprises the relevant statutory guidelines, the resolutions of the Standing Conference of the Ministers of Education and Cultural Affairs of the Länder relevant to accreditation, and the rules adopted by the Accreditation Council for the accreditation of agencies.

In addition, the Accreditation Council ensures that the experts have a clear understanding of their roles in the procedure and are aware of the demands and limitations of their task.

In 2010 and 2011, the Accreditation Council carried out a total of two respectively full-day events for preparatory briefing of experts. This measure certainly further enhanced the consistency of decisions in the certification procedures. The Accreditation Council thereby also responded to corresponding criticism of experts from the previous evaluation of the Foundation.

Publication of the results

The decisions of the Accreditation Council on individual reaccreditation procedures including the conditions tied to the accreditation and terms, the expert reports, the explanatory statements for the applications, and the statements of the agencies are respectively published after completion of the procedure on the website of the Foundation. (Annex 3.4)

Evaluation

Since 2009, the members of the Accreditation Council, the experts and the management of the agencies have been surveyed at the end of accreditation procedures regarding the procedure itself and possible improvements. These surveys showed high rates of agreement and satisfaction among the participants. The experts have rated the support of the head office during the procedure as especially positive. Clarity, suitability and accountability of the criteria for accreditation of agencies were rated as good by the experts in the last three procedures. Some experts and agencies criticised the effort required by the double assessment of the Criteria for the Accreditation of Accreditation Agencies and the ESG. However, as the requirements for assessment of the ESG are given by external parties (ENQA and EQAR) and the criteria catalogues vary there is little room here for a change in procedure (see also Quality Report 2011, Annex 5.2). Furthermore, the EQAR guidelines provide that the acceptance of an agency is fundamentally decided on the basis of a separate report exclusively oriented on the ESG.

Nevertheless, the agencies perceive the joining of both procedures as an attractive offer of the Accreditation Council that brings high synergies and has therefore been frequently demanded in the past.

Based on the results of the surveys mentioned above, various measures for quality enhancement have been developed and implemented. This particularly includes the editorial revision of the Criteria for the Accreditation of Agencies, along with the publication of a guideline that facilitates the orientation of both the applicant agencies and the experts in the procedure (Annex 3.2). In addition, the suggestion of the Accreditation Council members to only require a hearing of the applicant agency at the meeting of the Accreditation Council before the decision when there is a further need for clarification and/or at the wish of the agency in question was taken up.

Since autumn 2010, the procedures for reaccreditation of agencies have respectively comprised one full-day event for briefing of the experts. During the briefing, the experts are informed of criteria, procedural rules and requirements in the expert report process and questions pertaining to the understanding of roles are discussed. The surveys carried out by the Accreditation Council have shown that the briefing measures for experts have been assessed highly positively.

An inherent difficulty in the procedure for reaccreditation of agencies lies in the parallel aspects of (a) certification that is directed toward the future and (b) the consideration of assessment procedures based on experience in the past. As the experts receive their information from the agency in the form of application documents and discussions during the on-site visit, and also receive a progress report from the Accreditation Council on experience in the past, the sum of information is not always free of contradictions. For this reason, it is also the task of the experts to assess the development potential of an agency with consideration of possibly positive and negative experiences in the past. Although the parallel perspectives did lead to uncertainty among the experts in some procedures, the inclusion of perspectives of an agency's work that are not always congruent also led to a more differentiated picture and thereby to a gain in quality in the assessment of an agency.

In sum, the Accreditation Council finds that the criteria and rules of procedure on which the procedures are based, as well as the performance of the procedures themselves, are to be assessed predominantly positively. The assessment by the experts is based on a broad basis of information. Also of mention here are the optional discussions, initiated in 2009, with students and representatives of higher education institutions that have completed the agency's accreditation procedure, adding an external perspective to the information basis.

3.2.3 Monitoring of the accreditations undertaken by the agencies

Pursuant to § 2 para. 1 no. 4 ASG, it is a task of the Accreditation Council to monitor procedures for study programme accreditation undertaken by the agencies. The resolution adopted by the Accreditation Council "Procedure of the Accreditation Council for the monitoring of accreditations undertaken by the agencies" of 21.09.2006 in the version of 08.12.2009 (Annex 3.6) provides for both random sample and specific-purpose assessment procedures. As part of the random sample assessment, four programme accreditation procedures and one system accreditation procedure are assessed per year and agency. If agencies anticipate fewer than 15 decisions for programme accreditation per year then, on application of the agency, the number can be reduced to two procedures per year. The specific-

purpose assessment is performed when there is a sufficiently reasonable suspicion of deficient performance or decisions in an accreditation procedure. The head office of the Foundation assesses the correctness of the procedure and the decision based on the documents to be provided by the agency. Among others, these include the self-evaluation report of the higher education institution, information on the selection and appointment of the expert groups, information for carrying out the on-site visit, the report, the statement of the higher education institution, and the accreditation decision of the agency. In each assessment procedure, the agencies receive the opportunity to make a statement. The agencies are informed of the scope of the procedural documentation to be presented through the “Information for carrying out random sample assessments for programme- or system accreditation” (Annex 3.7).

Should defects in the procedure be discovered during the assessment, the Board of the Foundation decides the further proceedings. Possible decisions could range from the order to change the procedural practice of an agency, to an obligation to revise a concrete accreditation decision, to the order of an administrative fine or – in the case of long-term and grave violations of the criteria and rules of procedure of the Accreditation Council – to revocation of the accreditation.

In addition to the assessment activity pursuant to § 2 para. 1 no. 4 ASG, the Accreditation Council accompanies one accreditation procedure per year and agency by participating in the on-site visit and the subsequent meeting of the agency body responsible for the accreditation decision. The participation serves the exchange of information between the Accreditation Council and agencies, and also allows the Accreditation Council insight into the operative business of the agencies.

In 2011, the working group “Quality Assurance” (see [Chapter 6.5](#)) developed a new concept for the monitoring of accreditations undertaken by the agencies. Based on this concept, the Accreditation Council decided, with involvement of the agencies, to assess individual criteria and procedural rules in a larger number of procedures for the first time in a pilot phase in 2012. This is to place the findings from assessment procedures for agency practices on a broader basis and, consequently, to sustainably improve decisive aspects of the procedural practice. The trial of this procedure will be overseen by the working group “Internal quality assurance”.

Results

The head office of the Foundation regularly prepares a report on the results of the monitoring containing information on the number of assessment procedures performed, the number of complaints per agency, and the implementation of the resolutions of the Board of the Foundation. The report also contains an analysis of established shortcomings and informs of changes from the period of the previous year (Annexes 5.4).

From the report on the monitoring in the years 2010 and 2011, it can be taken that the Board of the Foundation established a number of defects of varying nature and severity in the assessed procedures and accreditation decisions, and formulated a complaint regarding these. In a total of five cases, agencies were ordered to revoke the accreditation; in four cases, agencies were ordered to possibly revoke the accreditation after a new expert assessment; and, in six cases, agencies were to undertake a subsequent expert assessment with criteria not previously considered.

To date, there are three reports on the findings pursuant to the resolution “Procedure of the Accreditation Council for the monitoring of accreditations undertaken by the agencies” (report periods:

01.01.2007 to 30.09.2008; 01.08.2008 to 31.12.2009; 01.01.2010 to 31.12.2011). In the entire period between 2007 and 2011, a total of 120 procedures were assessed by random sample; a specific-purpose assessment was made in a total of 12 cases. In 2012, 15 random sample and 3 specific-purpose assessments had been performed up until the completion of this report.

The random sample assessment of system accreditation procedures could not yet take place for reasons of capacity but is planned for spring 2013. For procedures accompanied outside of the monitoring activity, the consultant prepares a report summarising the findings that is then made available to the respective agency. The agencies also receive the opportunity of a feedback discussion with the consultant.

In addition to the assessment activities pursuant to the resolution "Procedure of the Accreditation Council for the monitoring of accreditations undertaken by the agencies" of 21.09.2006 in the version of 08.12.2009, the head office of the Foundation has evaluated the agencies' measures for briefing experts. The report on the briefing measures, currently in draft status, will be presented to the Accreditation Council in one of the upcoming meetings (Annex 5.5).

Evaluation

The assessment procedures of the Accreditation Council fundamentally pursue double objectives: In the case of significant wrong decisions of an agency, they lead to a revision of the accreditation decision, thereby preventing negative consequences for the students affected; at the same time, they target a prevention of errors in future procedures and thereby a long-term quality enhancement of the procedures as a whole. Due to feedback and complaints by the Accreditation Council, many agencies have introduced measures to remedy defects that have extended beyond the individual case and have contributed to an overall quality enhancement of the procedures. In addition – and equally in the context of quality development – the Accreditation Council has utilised findings from the monitoring procedures to counteract frequently established defects or defect patterns, and to ensure a uniform procedural practice among agencies and fair competition among all actors involved.

Some decisions have led to a corresponding rule interpretation by the Accreditation Council. For example, the Accreditation Council has sometimes, when called for, pointed out that the application of a rule or a criterion – e.g. consideration of the Lisbon Convention in the accreditation – does not comply with the intended objective and purpose of the directive, and has asked the agency to correspondingly change its practices. Usually this was a matter of interpretations that were indisputable for the Accreditation Council but not shared by some agencies. To prevent misunderstandings and unnecessary frictional losses, the Accreditation Council will examine the question of how a common understanding of the Accreditation Council and the agencies can be optimised in the future with regard to the intended objective and purpose of the criteria in accreditation.

While the Accreditation Council feels that the random samples led to some significant changes in agency procedural routines in the first years, it believes that their effects now are increasingly limited to individual, specific procedures. In light of this, the Accreditation Council will newly assess the efficiency of the procedure and possibly take corresponding measures. The currently ongoing pilot procedure for the trial of a "cross-sectional assessment" and the subsequent discussion of the further development of assessment procedures are already considering this aspect.

The Accreditation Council not only has the task of certifying agencies to carry out accreditation procedures for a limited term, but to additionally monitor the procedures performed by the agencies. The very high number of accreditation- and reaccreditation procedures is now presenting a significant challenge for the Accreditation Council. A comprehensive assessment of all accreditations is neither feasible nor desirable based on the required resources alone. Furthermore, such a detailed and bureaucratic type of assessment would be contrary to the certification logic.

The random sample assessment – supplemented by the possibility of specific-purpose assessments – represents a practicable compromise. On long term, the Accreditation Council will also need to consider how the higher education institutions as “customers” in the accreditation system can be better involved in the assessment of the agency accreditation procedures in the future.

3.2.4 Ensuring fair competition

Pursuant to § 2 para. 2 no. 1 ASG, the Foundation is to contribute to ensuring fair competition among the agencies. This task is derived not only from the Accreditation Foundation Law but also from the Foundation’s overarching responsibility for the accreditation system in Germany. Here, it must be considered that the competition naturally may not refer to the quality of the accreditation of study programmes or procedures for internal quality assurance of higher education institutions. The “received value” of the quality seal of the Accreditation Council to be awarded by the agencies is therefore expressly not an element of competition among the agencies.

At its core, the Foundation’s function as protector of fair competition in the accreditation system lies in

- preventing restrictions of competition, such as the formation of monopolies or restriction of the free selection of agencies by the higher education institutions,
- ensuring (market-) transparency, above all with regard to the description of services and the price formation,
- preventing unfair competitive advantages e.g. in the form of cross-subsidisation of individual agencies.

Both the agreements between the Foundation and agencies, and the “Rules for the Accreditation of Agencies” contain a number of provisions that are of decisive importance for ensuring fair competition through the Foundation. For example, an agency must present evidence of binding internal structures and procedures that guarantee a correct and consistent application of the “Rules for the Accreditation of Study Programmes and for System Accreditation” in the current version as part of the certification procedure (criterion 2.2.1). This ensures that requirements tied to the accreditation cannot be an element of competition. In addition, and pursuant to criterion 2.3.2, the agencies must also demonstrate that their work is not profit-oriented and that the accreditation procedures are performed on an absorbed cost basis. This rule prevents that cross-subsidisation of agencies allows them to underquote their competitors in acquisition with “lucrative” orders.

In § 5 para. 2 of the agreement between the Foundation and agencies, the agencies oblige to apply the guidelines adopted by the Accreditation Council in implementation of § 2 ASG. In § 10, they additionally oblige to exclusively award the seal of the Accreditation Council in legally correct cases, and to

avoid the impression with third parties – particularly their contract partners – of pursuing activities other than those of an agency certified by the Accreditation Council.

The rule-compliant implementation of such provisions is assessed as part of the certification procedure or – when there is sufficient reasonable suspicion of a breach – as part of a special assessment procedure pursuant to the Accreditation Council resolution “Procedure of the Accreditation Council for the monitoring of the accreditations undertaken by the agencies” of 21.09.2006 in the version of 08.12.2009 (Annex 3.6).

Results

Since the progress report of the external evaluation in April 2008, and with regard to its task of ensuring fair competition among the agencies, the Accreditation Council has been focusing on assessing comparability of accreditation procedures and consistency of accreditation decisions in procedures, the pricing of accreditation procedures by the agencies, and the awarding of agencies’ own seals.

On comparability of the procedures and decisions

The accreditation or reaccreditation of the agencies, as well as the procedures for the monitoring of accreditations undertaken by the agencies are both instruments of the Accreditation Council for ensuring comparability of procedures and consistency of accreditation decisions. In addition, the head office has carried out an analysis of possible inconsistencies with regard to the accreditation practice of the agencies and has prepared an internal report on the various procedural- and decision-making practices of the agencies for programme accreditation (Annex 5.6). This focuses on the decisions, guidelines and manuals published by the agencies and examines them for discrepancies both among the agencies and also with regard to the rules of the Accreditation Council. The discussion regarding conclusions drawn from the report’s findings is ongoing.

On pricing

To better handle possible cases of cross-subsidisation of accreditation procedures by third parties – e.g. Länder or associations – the Accreditation Council adopted the requirement of performing procedures on an absorbed-cost basis on 08.12.2009 in Clause 2.3.2 of its resolution “Rules for the Accreditation of Agencies”. The requirement that the agencies not work on a profit-oriented basis has been provided for in the criteria set of the Accreditation Council since December 2005. In the procedures for the certification of agencies, compliance with these criteria is assessed based on sample invoicing of procedures, the budget- or business plans of the agencies, and documentation of the non-profit status.

Evaluation

A system in which certified agencies offer the same product under application of the same assessment criteria and procedures, namely the seal of the Accreditation Council and may not work for profit, only allows competition to a very limited degree. Competition can therefore only extend to the service of the agencies or additionally offered services provided it is assumed that the quality of the procedures is excluded from the competition due to the regulatory measures of the Accreditation Council. In offering additional services, the agency is not bound to the guidelines of the Accreditation Council unless the services stand in an indirect or direct context with the awarding of the seal of the Accreditation Council and the possibility of influencing the procedure for awarding the seal can at least not be excluded. As, of course, there is also no full market transparency with the accreditation system, the Accreditation

Council is restricted in its task to regulate competition. Unfair competition practices are not always externally recognisable as those directly involved – in this case, agencies and higher education institutions – naturally would not publicise competition-distorting agreements on e.g. pricing. Therefore, the Accreditation Council is essentially dependent on the random sample assessment of accreditation decisions to uncover such activities.

3.2.5 Recognition of foreign accreditation decisions

The recognition of accreditation decisions by foreign agencies not certified by the Accreditation Council is currently limited to decisions for the accreditation of joint programmes, i.e. study programmes jointly carried out by at least one foreign and one German higher education institution, and which at least award one higher education degree which is recognised by German law. Normally several agencies participate in the accreditation of these internationally oriented study programmes and jointly perform the procedure using various cooperation models. For this type of accreditation, the Accreditation Council has developed specific guidelines that do justice to the particularities of the procedure. In Clause 1.5 (Special rules for joint programmes) of the “Rules for the Accreditation of Study Programmes and for System Accreditation” requirements are defined based on which the decision of an agency not certified by the Accreditation Council can be recognised. According to the special rules for joint programmes, recognition is possible when

- a) the decision for recognition pertains to joint programmes pursuant to Cl.1.5.1.,
- b) the foreign agency is listed in the European Quality Assurance Register (EQAR) or is a full member of the European Association for Quality Assurance in Higher Education (ENQA),
- c) the agency certified by the Accreditation Council ensures that there are no significant differences between the own accreditation criteria and rules of procedure, and those of the foreign agency
- d) the agency certified by the Accreditation Council ensures that the “Common Structural Guidelines of the Länder” are essentially complied with.

As a legal consequence of such recognition, the seal of the Accreditation Council is awarded to the study programme in question. The agency certified by the Accreditation Council is, however, obliged to inform the Accreditation Council of individual recognition decisions in a timely manner.

Results

In 2010, the Accreditation Council participated in a pilot procedure for the EU-funded ECA project “Transparent European Accreditation Decisions & Mutual Recognition Agreements II” (TEAM 2). The primary objective of the project was to examine possibilities for recognition of qualifications with joint programmes and to facilitate the accreditation of these programmes.

The Accreditation Council participated in the accreditation procedure for the *Joint European Master Programme in Comparative Local Development (CoDe)*, a joint study programme offered by the University of Trento (Italy), the Corvinus University of Budapest (Hungary), the University of Ljubljana (Slovenia) and the University of Regensburg. The accreditation procedure was carried out in the re-

sponsibility of the *Hungarian Accreditation Committee (HAC)*; the *Council for Higher Education of the Republic of Slovenia* also participated.

In autumn 2010, the Accreditation Council decided to recognise the decision of the HAC in which the accreditation of the *Joint European Master Programme in Comparative Local Development (CoDe)* was decided without conditions on the basis of Clause 1.5 of the “Rules for the Accreditation of Study Programmes and for System Accreditation”.

To date, a corresponding recognition of the decision of an agency certified by the Accreditation Council pursuant to Clause 1.5 of the “Rules for the Accreditation of Study Programmes and for System Accreditation” has not yet taken place.

Evaluation

The rules of the Accreditation Council for recognition of accreditation decisions of foreign institutions and institutions not certified by the Accreditation Council are currently restricted to a comparatively narrow circle of specific accreditation procedures. The recognition takes place not through the Accreditation Council but through an agency certified by the Accreditation Council and only in the area of procedures for accreditation of joint programmes. This type of recognition possibility pursuant to Clause 1.5.7 of the “Rules for the Accreditation of Study Programmes and for System Accreditation” aims to significantly reduce the procedural efforts for the accreditation of joint programmes and to also not burden higher education institutions with parallel procedures. (On the subject “Scenarios and perspectives for the recognition of foreign accreditation decisions” see [Chapter 6.6](#))

3.2.6 Promoting international cooperation

Pursuant to § 2 para. 2 no. 3 ASG, the Foundation has the task of promoting international cooperation in the area of accreditation; this also includes the obligation formulated in § 3 para. 2 no. 2 ASG to define the requirements for recognition of accreditations by foreign institutions with taking into account the developments in Europe (on this, see [Chapter 3.2.5](#)).

The core task of the international cooperation lies in promoting reciprocal understanding of the systems of quality assurance and developing comparable criteria, methods and standards of quality assurance in order to facilitate reciprocal recognition of accreditation- and quality assurance decisions, and thereby the reciprocal recognition of qualifications. Transparency of the study offers is to be improved and mobility promoted for transnational free movement.

The European and international quality assurance networks, of which the Foundation is an active member, represent an important instrument for promoting international cooperation. In particular, these networks include the *European Association for Quality Assurance in Higher Education (ENQA)* and the *International Network for Quality Assurance Agencies in Higher Education (INQAAHE)*.

At the structural level, the significance of international cooperation is reflected in the composition of the Accreditation Council. Pursuant to § 7 para. 2 ASG, two foreign representatives with accreditation experience must be members of the Accreditation Council.

The importance of international cooperation is also considered at the procedural level. For the accreditation of agencies respectively two experts should come from a foreign country (Clause 1.3 of the

“Rules for the Accreditation of Agencies”); in procedures for system accreditation, pursuant to Clause 4.5 of the “Rules for the Accreditation of Study Programmes and for System Accreditation”, one member of the expert group should come from a foreign country. Another important requirement for intensive, international cooperation is the engagement of individual persons. This comprises a variety of activities for the Accreditation Council and the head office (see results).

Results

The Accreditation Council is a long-year member of the leading European and international quality assurance networks, such as the *European Association for Quality Assurance in Higher Education* (ENQA) and the *International Network for Quality Assurance Agencies in Higher Education* (IN-QAAHE).

The international networking of the Accreditation Council is further demonstrated through the agency-directed and frequently utilised offer of the Accreditation Council to also assess compliance with the *Standards and Guidelines for Quality Assurance in the European Higher Education Area* (ESG) in certification procedures. This allows the use of synergies and promotes the inclusion of international standards (ESG) in the accreditation procedure.

Recently, the Accreditation Council participated in a pilot procedure for accreditation of the cross-border *Joint European Master Programme in Comparative Local Development* (CoDe) as part of the ECA project TEAM 2 (see [Chapter 3.2.5](#)).

The Accreditation Council also demonstrates its engagement in international projects through its participation in the Tempus project QUALYCERT for establishment of a quality assurance system and certification of Tunisian higher education. Since 1990, the Tempus programme has been supporting the further development and reformation of higher education in its partner countries. Together with the Dresden University of Technology, seven universities from France, Italy, Czech Republic and Tunisia, along with further project partners, the Accreditation Council will support the development of quality standards for learning and teaching, and train experts for quality assurance in higher education. For this purpose, two studies on the current status of quality assurance in the participating EU countries and in Tunisia were written by the Accreditation Council’s head office during the report period. In particular, initiatives in engineering and applied linguistics were examined.

As European representative and partner, the Accreditation Council also supports the EDULINK Project in East Africa, which supports the establishment of central quality assurance institutions at three higher education institutions in Uganda, Tanzania and Kenya. The Accreditation Council contributed its expertise to the development of internal and external quality assurance mechanisms from the national and particularly the European perspective in the various workshops, seminars and courses. The project was successfully completed in April 2011. Among other things, guidelines for the development of a sustainable quality culture in the higher education institutions in East Africa were developed.

With Prof. Dr. Andrea Schenker-Wicki, the director of the executive MBA programme at the University of Zurich, and Dr. Sijbolt Noorda, president of the *Association of Universities in the Netherlands* and the *Academic Cooperation Association Brussels*, the Accreditation Council has two members with demonstrated international expertise in quality assurance. Through participation of international members in the meetings of the Accreditation Council and working groups set up by the Accreditation

Council, the international perspective is included in the consultations, discussions and resolutions of the committees.

With his variety of contacts and activities, Dr. Achim Hopbach, manager of the Foundation until June 2012, substantially contributed to the international networking of the Accreditation Council. This comprised not only his work as ENQA president, but also as member of the *Hong Kong Council for Academic Accreditation*, as German representative in the Bologna working group *Qualifications Frameworks* and as national correspondent for qualifications frameworks. He additionally supported the international representation of the Accreditation Council through intensive lectures and as a member of diverse expert groups at the international level.

The head office staff regularly takes part in international working groups, conventions and conferences. Examples of these include the discussion forums of the *International Quality Assurance Forum*, the third *Audit Spring Seminar* in June 2010 or the ENQA working group *Impact of Quality Assurance*.

Evaluation

The aim of European or international cooperation in the field of quality assurance for higher education must be to harmonise the variety of educational offers in higher education and the mobility of students by creating transparent structures. In this context, it is the task of institutions responsible for quality assurance and -development to utilise the existing forums and networks to achieve long-term, trust-based cooperation through reciprocal knowledge of individual, national characteristics. The *European Standards and Guidelines* (ESG) and the European Register (EQAR) play a significant role here.

The international networking of the Accreditation Council itself, but also that of the agencies, which, with one exception, are all listed in the European Register, may serve as evidence for the successful activity of the Accreditation Council in the area of international cooperation. The number of enquiries for participation of Accreditation Council members in international expert groups and other international groups shows the esteem of the Accreditation Council's work. Through this, and through the participation of foreign members in the Accreditation Council, in the expert groups, and in working groups of the Accreditation Council, a tightly woven network of international contacts and cooperation has been established that allow the Accreditation Council to play an important, international role and to also consider current international experiences in its national work at all times.

4. Further development of the accreditation system

4.1 The implementation of system accreditation

With the development and introduction of a procedure of system accreditation, the Accreditation Council has taken an important step on the path to further strengthening the self-responsibility of the higher education institutions. As the subject matter of system accreditation is the internal quality assurance system of a higher education institution, the review places emphasis on structures and processes relevant to teaching and learning. The core of system accreditation is the question of whether such structures and processes ensure the achievement of the qualification objectives and a high quality of the study programmes offered, in a manner that guarantees consideration of the criteria of the Accreditation Council, the *European Standards and Guidelines* (ESG), and the guidelines of the Standing Conference of the Ministers of Education and Cultural Affairs of the Länder for each individual study programme. In the case of a successfully concluded system accreditation, all study programmes of a higher education institution that have previously passed through the internal quality assurance system of a higher education institution receive the quality seal of the Accreditation Council.

System accreditation is fully oriented on the aim of continuously enhancing the quality of study programmes and more strongly placing the main responsibility for learning and teaching in the hands of the higher education institution. The criteria developed by the Accreditation Council are selected in such a manner that they may be used to assess the internal quality assurance system of a higher education institution as to whether it is suitable for the quality-oriented development of study programmes. In addition, the criteria and rules of procedure for system accreditation correspond with the current European standards for quality assurance in learning and teaching, and thereby ensure international acceptance of the new procedure.

In the middle of 2006, the Accreditation Council already began first preparations for the introduction of a new instrument of quality assurance and development as an addition to the previously exclusive programme accreditation, and established a working group for the further development of the accreditation system. Early and comprehensive participation of stakeholders and experts from Germany and abroad, and the consideration of knowledge gained through various pilot projects and study visits at foreign accreditation institutions characterised the subsequent discussion and consultation process, which finally resulted in the decision for system accreditation and the adoption of corresponding criteria and rules of procedure.

Criteria and procedures of system accreditation

The *criteria for system accreditation* (Clause 5 of the “Rules for the Accreditation of Study Programmes and for System Accreditation”) define the subject and underlying assessment parameters of system accreditation, as well as the requirements for certification of a higher education institution for the new procedure. The subject matter of system accreditation is the internal quality assurance system of a higher education institution in the area of learning and teaching. A positive system accreditation certifies that the quality assurance system of a higher education institution is suitable for ensuring the achievement of qualification objectives and the quality standards of their study programmes.

Like the criteria for the accreditation of study programmes, the criteria for system accreditation also essentially provide frame conditions and objectives that the higher education institutions must consider

in the development and implementation of internal quality assurance systems. Accordingly, the criteria of the Accreditation Council contain no concrete guidelines for structuring the systems in detail but a binding catalogue of requirements that the higher education institutions and quality assurance systems they have developed must fulfil for successful accreditation. This includes e.g. continuously utilised procedures for assessment of the qualification objectives of the study programmes, the evidence of corresponding staff- and material resources that guarantee sustainability, or a reporting system that documents the structures and processes for the development and implementation of study programmes, along with quality assurance measures, their results and effects. In addition, the internal quality assurance system must ensure the participation of teachers and students, of graduates, of practitioners of professions, and of the administrative staff, and guarantee that the evaluation of quality within the scope of internal and external evaluations are performed by authorities and individuals that are independent in their decision..

System accreditation is an addition to and extension of the existing accreditation system; higher education institutions can therefore independently decide how they would like to fulfil the obligation for accreditation of their study programmes, through individual- and cluster accreditations, or as part of system accreditation. Furthermore, this does not exclude that higher education institutions that have successfully passed the system accreditation may also continue to carry out programme accreditations in certain areas.

The effectiveness of the quality assurance system of the higher education institution is assessed in system accreditation especially through random samples: The guidelines provide for horizontal cross-sectional inspections of features related to the study programme ("feature random sample"), and intensive evaluations of individual study programmes ("programme random sample"). Subject of the feature random sample could e.g. be the definition of qualification objectives, the student workload, or compliance with the framework guidelines for the introduction of a credit point system and the modularisation of study programmes. For structuring the feature random sample, the Accreditation Council has adopted rules that establish the subject and scope of the random sample.

The criteria and procedures of the programme random sample essentially correspond with a standard programme accreditation, however do not lead to an own accreditation decision. Rather than examining selected features of the study programme structure across all study programmes, as with the feature random sample, the programme random sample essentially evaluates all features of three study programmes. In these random samples, the main question is whether governance processes and the internal quality assurance of the higher education institution ensure high quality of the study programmes in all respects and that all formal guidelines are correctly implemented.

For the expert report procedure, which provides for two on-site visits in addition to the analysis of the written documents, the agency appoints an expert group comprising three members with experience in higher education institution governance and internal quality assurance of higher education institutions, one student member with experience in the self-administration of higher education institutions and accreditation, as well as one member who is the practitioner of a profession; one of the members should come from a foreign country.

The results of the random samples in the procedure of system accreditation should serve the experience-supported assessment of the effectiveness of the internal quality assurance system of a higher education institution.

Results

In awareness that guidelines proving to be of hindrance or unsuitable for the purpose must be corrected as quickly as possible, the Accreditation Council took first experiences with system accreditation in December 2010 as an opportunity to modify the prerequisites for admittance and further, individual procedural elements, and to thereby significantly facilitate the access of higher education institutions to system accreditation. The revisions undertaken can be summarised as follows:

Prerequisites for admittance: Higher education institutions must no longer present a certain number of accredited study programmes in order to be admitted to the procedure for system accreditation.

Programme random sample: The intensive assessment of individual study programmes in the programme random sample has been reduced from 15% to normally three study programmes. Here, the first progress reports of the agencies and participating higher education institutions indicated that the knowledge value from the procedures of the programme random sample does not depend on the scope.

Decision rules: With the changed possibility to also award system accreditation under conditions, the Accreditation Council pursues the aim of promoting continuous quality development in higher education institutions as well as the set up of internal governance- and quality assurance systems in the area of learning and teaching. This gives agencies and higher education institutions a follow-up instrument that opens possibilities for subsequent governance for quality development and that significantly reduces the risk of a negative accreditation decision.

The comparatively strong rise in system accreditation applications in 2011 and 2012 (currently, over 20 higher education institutions have applied for system accreditation or have already successfully completed the procedure, status June 2012) indicates that these modifications have already taken effect and have made it easier for higher education institutions to decide to apply for system accreditation.

With the certification of agencies for system accreditation procedures in autumn 2008, the Accreditation Council decided to respectively accompany the first two system accreditation procedures of each agency in order to ensure information- and experience exchange between the Accreditation Council and the agencies that was as direct as possible. The monitoring procedure was to respectively comprise the participation of a representative of the Accreditation Council in both on-site visits, the corresponding meeting of the decision-making body of the responsible agency, and possibly one of the programme random samples.

In its statement on the "Review report for the Evaluation of the Foundation for the Accreditation of Study Programmes in Germany" (resolution of the Accreditation Council of 11.07.2008), the Accreditation Council further obliged itself to assess the practicability of the criteria and rules of procedure, and their effects based on an analysis of the first six procedures, and, if necessary, to revise its resolutions.

In its resolution of 14./15.06.2007, the Standing Conference of the Ministers of Education and Cultural Affairs of the Länder asked the Accreditation Council to guide the overall process of introducing system accreditation and to present a report for evaluation to the KMK in five years – i.e. in the year 2012.

For the first six procedures, the Accreditation Council, or the Board of the Foundation, appointed respective reporting members to accompany the procedures in the above-mentioned manner. All pertinent documents (application documents of the higher education institution, reports of the expert group, agency draft decision templates for decisions etc.) were made available to the reporting members. The last of the six accreditation procedures was completed in the summer of 2012.

To evaluate the collected findings, the reporting members of the Accreditation Council each prepared a report giving information on the implementation of the individual procedural elements, on readability, thoroughness and stringency of the expert reports, and on feedback from agencies and experts regarding the applicability of the criteria and rules of procedure of the Accreditation Council. In supplementation, the head office of the Foundation held guided interviews with the reporting members of the Accreditation Council in which targeted questions on applicability of individual procedural elements were discussed. After evaluating the reports of the reporting members and guided interviews, the head office of the Foundation prepared a summarising progress report that served as discussion basis for the subsequent feedback discussions with the parties to the proceedings. These feedback discussions between the reporting members of the Accreditation Council and a selection of involved experts, representatives of the higher education institution, and the responsible consultants or managers of the agencies took place on 5 July 2012 in Berlin and were held in separate sessions.

The feedback discussions primarily served to discuss the strengths and weaknesses of the procedure with consideration of the various perspectives of those involved, and to discuss possibilities for development. The discussions also targeted benefitting from the valuable experience of directly involved actors for further development of the procedure. For this reason, the discussion did not focus on the evaluation or critique of the concrete implementation of the procedure but – with regard to quality development – predominantly on the development perspective of the system accreditation and rules that form the basis of it.

With consideration of the final report of the reporting members and the results of the feedback discussions, the Accreditation Council adopted a concluding progress report at its 72nd meeting on 12.09.2012. This summarises the central findings of the parties to the proceedings and contains recommendations for further development of the procedure or the criteria (Annex 5.3). In addition, the Accreditation Council instituted a working group comprising representatives of higher education, the Länder, practitioners of professions, students and agencies who are to prepare the rule amendments. A first consultation regarding the proposals is to take place at the 73rd meeting of the Accreditation Council at the end of November 2012; a resolution is planned for February 2013.

4.2 Events for selected subjects of accreditation

Expert meeting 2009

In December 2009, the Accreditation Council invited approx. 30 experts – members of the Accreditation Council, agency representatives, and external experts – to Berlin for the third expert meeting of

the Accreditation Council under the title “Securing academic feasibility and employability in reaccreditation”. With this expert meeting, the Accreditation Council also took up a discussion regarding the successes and failures of the Bologna Process, in which ensuring academic feasibility and promoting employability in Bachelor’s study programmes played a central role. Based on practical examples from higher education institutions, it was discussed how a calculation of the student workload can contribute to securing academic feasibility and how the results of alumni surveys can help to better assess the character of the study programmes with regard to employability (Annex 6.1). In 2009, as one of the results of the expert meeting, the Accreditation Council decided to emphasise the significance of the requirements for academic feasibility of tiered study programmes by combining all aspects related to academic feasibility into one separate criterion.

Expert meeting 2010

In November 2010, the Accreditation Council held its fourth expert meeting in Berlin under the title “Further development in accreditation” with participation of approx. 40 experts – members of the Accreditation Council, representatives of the German Rectors’ Conference and the Standing Conference of the Ministers of Education and Cultural Affairs of the Länder, agency representatives, and external experts.

The expert meeting was opened with statements by all participating stakeholders regarding the accreditation system and its structuring. Emphasis was placed on the political frame conditions and legislative basis of the system, the relationship between the Accreditation Council and the agencies, and the role and task of experts in the procedures.

The Accreditation Council comprehensively considered the results of the expert meeting in its statement on further development of the accreditation system (Annex 6.2) and in the amendments to system accreditation.

In the view of the Accreditation Council, the expert meetings provide a good opportunity to reflect on own activity in a round of experts and to utilise the results of the meetings for further development of procedures and criteria. Though initially planned as an annual event, the Accreditation Council lacked funding for the expert meeting in 2011.

Joint conference of agencies and the Accreditation Council: The future of accreditation in Germany

In November 2012, the Accreditation Council and agencies are holding a joint conference for the first time. Based on the recommendations of the German Council of Sciences and Humanities and the suggestions of the German Rectors’ Conference for restructuring system accreditation, the conference is to review the impact of accreditation in Germany, also from the international view, and to present possible perspectives of the accreditation system (Annex 6.3).

5. Compliance with the Standards and Guidelines for Quality Assurance in the European Higher Education Area

Preface

As the Accreditation Council does not deal with the accreditation of study programmes but with the certification of accreditation agencies, the ESG standards 1.1 to 1.7 are not relevant. Nevertheless, ESG standard 2.1, which orders the consideration of ESG standards 1.1 to 1.7 for external quality assurance, was comprehensively included in the criteria developed by the Accreditation Council for the accreditation of study programmes and for system accreditation. The application of these criteria lies in the responsibility of the agencies certified by the Accreditation Council.

5.1 Use of external quality assurance procedures for higher education (Standard 3.1)

5.1.1 Use of internal quality assurance procedures (Standard 2.1)

STANDARD: External quality assurance procedures should take into account the effectiveness of the internal quality assurance processes described in Part 1 of the European Standards and Guidelines.

GUIDELINES: The standards for internal quality assurance contained in Part 1 provide a valuable basis for the external quality assessment process. It is important that the institutions' own internal policies and procedures are carefully evaluated in the course of external procedures, to determine the extent to which the standards are being met. If higher education institutions are to be able to demonstrate the effectiveness of their own internal quality assurance processes, and if those processes properly assure quality and standards, then external processes might be less intensive than otherwise.

The "Rules for the Accreditation of Study Programmes and for System Accreditation" (Annex 4.1) adopted by the Accreditation Council and to be applied by the agencies provide for the assessment of the internal quality assurance of higher education institutions bindingly: In system accreditation this is inherently the case due to the central subject of assessment, namely the internal quality assurance systems of higher education institutions; in programme accreditation, the higher education institution must demonstrate that the results of the internal quality management of the higher education institution are considered in the further development of the study programme pursuant to criterion 2.9, and that evaluation results, studies on the student workload, the study success, and the destinations of graduates are considered.

5.1.2 Development of external quality assurance processes (Standard 2.2)

STANDARD: The aims and objectives of quality assurance processes should be determined before the processes themselves are developed, by all those responsible (including higher education institutions) and should be published with a description of the procedures to be used.

GUIDELINES: In order to ensure clarity of purpose and transparency of procedures, external quality assurance methods should be designed and developed through a process involving key stakeholders, including higher education institutions. The procedures that are finally agreed should be published and should contain explicit statements of the aims and objectives of the processes as well as a description of

the procedures to be used. As external quality assurance makes demands on the institutions involved, a preliminary impact assessment should be undertaken to ensure that the procedures to be adopted are appropriate and do not interfere more than necessary with the normal work of higher education institutions.

In its resolution “Rules for the Accreditation of Agencies” (Annex 3.1), the Accreditation Council defined the basic principles and objectives of the accreditation procedure and published the resolution. The assessment parameters to be used by the agencies are also established in the resolution of the Accreditation Council “Rules for the Accreditation of Study Programmes and for System Accreditation” (Annex 4.1). Involved in the development of the resolutions were the preparatory working group set up for this purpose and all stakeholders and agencies through the Accreditation Council as decision-making body of the Foundation. As part of the procedure for certification of the agencies and pursuant to criterion 2.7 (reporting), it is assessed whether the agencies have described and published their procedures and assessment criteria in sufficient detail.

5.1.3 Criteria for decision (Standard 2.3)

STANDARD: Any formal decisions made as a result of an external quality assurance activity should be based on explicit published criteria that are applied consistently.

GUIDELINES: Formal decisions made by quality assurance agencies have a significant impact on the institutions and programmes that are judged. In the interests of equity and reliability, decisions should be based on published criteria and interpreted in a consistent manner. Conclusions should be based on recorded evidence and agencies should have in place ways of moderating conclusions, if necessary.

The “Rules for the Accreditation of Study Programmes and for System Accreditation” define the assessment parameters (Clause 2 Criteria for the Accreditation of Study Programmes and Clause 5 Criteria for System Accreditation) that form the basis of the accreditation decision and the procedural- and decision rules. The criteria and the procedural- and decision rules are published on the website of the Foundation. As instruments for ensuring consistent application of its rules, the Accreditation Council has the procedures for certification of the agencies, and the random sample assessments of procedures undertaken by the agencies.

5.1.4 Processes fit for purpose (Standard 2.4)

STANDARD: All external quality assurance processes should be designed specifically to ensure their fitness to achieve the aims and objectives set for them.

GUIDELINES: Quality assurance agencies within the EHEA undertake different external processes for different purposes and in different ways. It is of the first importance that agencies should operate procedures which are fit for their own defined and published purposes. Experience has shown, however, that there are some widely-used elements of external review processes which not only help to ensure their validity, reliability and usefulness, but also provide a basis for the European dimension to quality assurance. Amongst these elements the following are particularly noteworthy: (a) insistence that the experts undertaking the external quality assurance activity have appropriate skills and are competent to perform

their task; (b) the exercise of care in the selection of experts; (c) the provision of appropriate briefing or training for experts; (d) the use of international experts; (e) participation of students; (f) ensuring that the review procedures used are sufficient to provide adequate evidence to support the findings and conclusions reached; (g) the use of the self-evaluation/site visit/draft report/published report/follow-up model of review; (h) recognition of the importance of institutional improvement and enhancement policies as a fundamental element in the assurance of quality.

In structuring the procedures for both programme- and system accreditation, the Accreditation Council comprehensively considered relevant quality assurance principles in Europe with regard to the specific conditions of accreditation. The elements defined in the guidelines for ESG 2.4 have, in their entirety, been made into binding guidelines for accreditation procedures through the resolution “Rules for the Accreditation of Study Programmes and for System Accreditation” (Annex 4.1). This particularly applies to the selection and qualification of experts (Clause 1.1.4 or 4.5), the involvement of practitioners of professions and students (Clause 1.1.3 or 4.5), evidence-based assessment (Clauses 1.1.5 to 1.1.8 or 4.8 to 4.10), and the role of the internal quality development.

5.1.5 Reporting (Standard 2.5)

STANDARD: Reports should be published and should be written in a style which is clear and readily accessible to its intended readership. Any decisions, commendations or recommendations contained in reports should be easy for a reader to find.

GUIDELINES: In order to ensure maximum benefit from external quality assurance processes, it is important that reports should meet the identified needs of the intended readership. Reports are sometimes intended for different readership groups and this will require careful attention to structure, content, style and tone. In general, reports should be structured to cover description, analysis (including relevant evidence), conclusions, commendations, and recommendations. There should be sufficient preliminary explanation to enable a lay reader to understand the purposes of the review, its form, and the criteria used in making decisions. Key findings, conclusions and recommendations should be easily locatable by readers. Reports should be published in a readily accessible form and there should be opportunities for readers and users of the reports (both within the relevant institution and outside it) to comment on their usefulness.

The Accreditation Council has contractually obliged the agencies to publish accreditation decisions for programme- and system accreditation, as well as the respective reports for the database of the Accreditation Council, which is freely accessible to the public. The publication of reports for programme accreditation is binding for procedures opened after 01.06.2010; the publication of reports for system accreditation is binding for procedures opened after 23.02.2012. The results of the procedures carried out by the Accreditation Council for certification of the agencies are also documented on the website of the Foundation in the manner described above.

The reports fundamentally comprise descriptive- and evaluative sections, and document the recommendations and conditions suggested by the experts.

5.1.6 Follow-up procedures (Standard 2.6)

STANDARD: Quality assurance processes which contain recommendations for action or which require a subsequent action plan, should have a predetermined follow-up procedure which is implemented consistently.

GUIDELINES: Quality assurance is not principally about individual external scrutiny events: It should be about continuously trying to do a better job. External quality assurance does not end with the publication of the report and should include a structured follow-up procedure to ensure that recommendations are dealt with appropriately and any required action plans drawn up and implemented. This may involve further meetings with institutional or programme representatives. The objective is to ensure that areas identified for improvement are dealt with speedily and that further enhancement is encouraged.

Pursuant to Clause 3.5 and Clause 6.4 of the “Rules for the Accreditation of Study Programmes and for System Accreditation”, the agencies are obliged to assess the fulfilment of conditions (Annex 4.1). The same correspondingly applies to the procedures carried out by the Accreditation Council for accreditation of the agencies. For this purpose, the Accreditation Council has established the binding assessment of fulfilment of conditions in Clause 3.5 of the “Rules for the Accreditation of Agencies” (Annex 3.1).

5.1.7 Periodic reviews (Standard 2.7)

STANDARD: External quality assurance of institutions and/or programmes should be undertaken on a cyclical basis. The length of the cycle and the review procedures to be used should be clearly defined and published in advance.

GUIDELINES: Quality assurance is not a static but a dynamic process. It should be continuous and not “once in a lifetime”. It does not end with the first review or with the completion of the formal follow-up procedure. It has to be periodically renewed. Subsequent external reviews should take into account progress that has been made since the previous event. The process to be used in all external reviews should be clearly defined by the external quality assurance agency and its demands on institutions should not be greater than are necessary for the achievement of its objectives.

The periodicity of study programme accreditation and of system accreditation is established in Clause 3.2 and in Clause 6.2 of the “Rules for the Accreditation of Study Programmes and for System Accreditation” (Annex 4.1). The same equally applies to the periodicity of the certification of the agencies by the Accreditation Council pursuant to Clause 3.2 of the “Rules for the Accreditation of Agencies” (Annex 3.1).

5.1.8 System-wide analysis (Standard 2.8)

STANDARD: Quality assurance agencies should produce from time to time summary reports describing and analysing the general findings of their reviews, evaluations, assessments etc.

GUIDELINES: All external quality assurance agencies collect a wealth of information about individual programmes and/or institutions and this provides material for structured analyses across whole higher

education systems. Such analyses can provide very useful information about developments, trends, emerging good practice and areas of persistent difficulty or weakness and can become useful tools for policy development and quality enhancement. Agencies should consider including a research and development function within their activities, to help them extract maximum benefit from their work.

In the past five years, the Accreditation Council has carried out a number of internal analyses and cross-sectional inspections pertaining to selected aspects of accreditation. In this context, the following activities are of mention:

1. In 2008, the head office of the Foundation carried out an *internal* examination of the conditions issued by the agencies in procedures for study programme accreditation. The aim was to establish (a) which criteria for the accreditation of study programmes are particularly frequently the subject of issued conditions, (b) whether the majority of conditions are of material or documentation nature and (c) whether the criteria pertained more to formal or content-related aspects (Annex 5.7).
2. In June 2010, the Accreditation Council commissioned the head office of the Foundation with evaluating the measures of the agencies for briefing experts in accreditation procedures. Based on descriptive reports by all ten certified agencies, as well as the observation audit of concrete preparatory measures for programme accreditation, the head office prepared a preliminary *internal* report on the agencies' measures for briefing experts in accreditation procedures (Annex 5.5). The Accreditation Council has not yet completed a conclusive review of the results of the assessment.
3. At regular intervals, the head office prepares *internal* reports on the results of the assessment procedures (procedures for the monitoring of accreditations undertaken by the agencies) and presents them to the Accreditation Council (Annexes 5.4). The reports present the results based on figures and agencies, and evaluate the defects established during the assessment procedure; in addition, they compare the results with those from the respectively previous report.
4. In the past years, the head office has analysed the various procedural- and decision-making practices of the agencies in programme accreditation and, at the end of 2011, presented a second *internal* report on the results of the analysis. The report gives information on established differences in the accreditation practices of the agencies and documents the resolutions adopted by the Accreditation Council that primarily target a securing of consistency in accreditation (Annex 5.6).
5. The Accreditation Council has evaluated the experience gathered from the first six procedures for system accreditation. The evaluation was based on the findings obtained by the reporting members of the Accreditation Council as part of the monitoring procedures and the subsequent feedback discussions with those involved in the procedure (see [Chapter 4.1](#)). With consideration of these findings, the Accreditation Council adopted a progress report at its 72nd meeting in autumn 2012 that will serve as a starting point for further development of the rules for system accreditation (Annex 5.3).
6. In 2012, the head office of the Foundation carried out an evaluation of the documentation- and publication practice with regard to reports in programme accreditation. After the assessment procedure revealed some significant differences in the quality of the reports and the type of publication, the head office took this finding as an occasion to examine the accountability and comprehensibility of reports in particular with regard to the rules for the accreditation of study programmes. Taking the respective publishing practices into consideration, the reports of all agencies with certification for programme accreditation were examined in comparison and with regard to their structure and content, as well as with

regard to the criteria for the accreditation of study programmes. The results were summarised in an *internal* report (Annex 5.8).

To date, the Accreditation Council has refrained from publishing the reports for reasons of protection of trust above all toward the agencies. However, the analyses and evaluation results documented in the reports have flowed into consultations regarding further development of the system in that they were presented to members of the Accreditation Council as a basis for consultation or also as a basis for discussion for the round table meetings between the Accreditation Council and agencies.

The Accreditation Council generally welcomes the performance of research projects and, in this regard, welcomes the recommendations of the German Council of Sciences and Humanities and experts from the last evaluation of the Foundation. The Accreditation Council takes a critical stance toward carrying out *own* research projects, i.e. projects carried out by the Council itself, not only due to its limited capacities for this. The Accreditation Council believes that this task can be significantly better performed by independent higher education research institutions that are specialised in this field.

5.2 Official status (Standard 3.2)

STANDARD: Agencies should be formally recognised by competent public authorities in the European Higher Education Area as agencies with responsibilities for external quality assurance and should have an established legal basis. They should comply with any requirements of the legislative jurisdictions within which they operate.

The Foundation was established by the North Rhine-Westphalia Law Establishing the Foundation “Foundation for the Accreditation of Study Programmes in Germany” of 15 February 2005 and thereby has a legal basis (Annex 1.1). The law determines the tasks of the Foundation and its bodies. By resolution of the KMK of 16 December 2004 “Agreement on the Foundation ‘Foundation for the Accreditation of Study Programmes in Germany’” together with supplementary declaration of 15 December 2005, the federal states responsible for higher education transferred the performance of their tasks in implementation of the structural guidelines pursuant to § 9 para. 2 HRG to the Foundation. (Annexes 1.2 and 1.3)

5.3 Activities (Standard 3.3)

STANDARD: Agencies should undertake external quality assurance activities (at institutional or programme level) on a regular basis.

GUIDELINES: These may involve evaluation, review, audit, assessment, accreditation or other similar activities and should be part of the core functions of the agency.

The Foundation for the Accreditation of Study Programmes in Germany views itself as an organisation that, in fulfilment of its statutory tasks, makes an important contribution to securing and developing the quality of learning and teaching at German higher education institutions and thereby secures and enhances the reputation of German study programmes in Germany and abroad. The Foundation’s wide spectrum of tasks in combination with its self-image and the understanding of quality that underlies its work are reflected in the mission statement. (Annex 1.8)

The purpose of the Foundation is established in § 2 of the Accreditation Foundation Law (ASG). According to the statutory provisions, the Foundation has the task of certifying agencies to carry out procedures for the accreditation of study programmes and internal quality assurance systems of higher education institutions and – with consideration of the common and state-specific structural guidelines – of defining the requirements for these procedures. In doing this, the Foundation must ensure that these requirements are fulfilled by all certified agencies in a reliable manner that maintains fair competition among the agencies.

One of the central operative tasks of the Foundation for the Accreditation of Study Programmes in Germany to be regularly carried out is the certification (accreditation and reaccreditation) of accreditation agencies. If an agency has been accredited by the Accreditation Council, it is – depending on the application of the agency – certified to carry out procedures for programme accreditation and/or for system accreditation and is thereby authorised to award the quality seal of the Accreditation Council. The certification of the agencies is based on the “Rules for the Accreditation of Agencies” of 08.12.2009 in the version of 10.12.2010, which also comprises the *Standards and Guidelines for Quality Assurance in the European Higher Education Area* (Annex 3.1).

Currently, nine agencies are certified to carry out procedures for programme- and system accreditation; one agency is certified to carry out procedures for programme accreditation. Since the last evaluation of the Foundation in spring 2008, the Accreditation Council has carried out the following certification procedures:

ACQUIN, reaccreditation, certification for programme- and system accreditation, 08.06.2011

AHPGS, reaccreditation, certification for programme- and system accreditation, 03.03.2009

AKAST, accreditation, certification for programme accreditation, 31.10.2008

AQA, accreditation, certification for programme- and system accreditation, 09.06.2009 / 12.02.2010

AQAS, reaccreditation, certification for programme- and system accreditation, 23.02.2012

ASIIN, reaccreditation, certification for programme- and system accreditation, 16.02.2011

evalag, accreditation, certification for programme- and system accreditation, 01.10.2009

FIBAA, reaccreditation, certification for programme- and system accreditation, 23.02.2012

OAQ, accreditation, certification for programme- and system accreditation, 09.06.2009

ZEvA, reaccreditation, certification for programme- and system accreditation, 16.02.2011

Since 2000, the Accreditation Council has made a total of 23 accreditation and reaccreditation decisions.

5.4 Resources (Standard 3.4)

STANDARD: Agencies should have adequate and proportional resources, both human and financial, to enable them to organise and run their external quality assurance process(es) in an effective and efficient manner, with appropriate provision for the development of their processes and procedures.

Finances

Pursuant to § 4 para. 1 of the Accreditation Foundation Law (ASG), the Accreditation Council is jointly financed by the 16 Länder. In addition, the Accreditation Council charges fees pursuant to § 4 ASG to cover its administrative expenses for fulfilment of the individual tasks. The Länder only grant funding to the extent that the administrative expenses of the Accreditation Council are not covered by fees. For the fiscal years 2008 to 2011, the Standing Conference of Finance Ministers set the annual appropriations of the Länder to the Accreditation Council at 330,000 EURO. Since 2010, the Foundation has received an annual allowance of 27,000 EURO from the Länder as compensation for additional, personnel-related expenses resulting from the ENQA presidency of the managing director of the Foundation. In light of the managing director's leaving of the Foundation, it is expected that this compensatory payment will no longer be available in 2013.

The fees charged by the Foundation remained with the Accreditation Council to a sum of 40,000 EURO in the years 2008 to 2011. Additional income was to be paid to the Länder. Pursuant to the business plan 2012/2013 of the Foundation (Annex 1.14), which the finance ministers of the Länder approved based on the norms of the budget commission recommendations of the Standing Conference of Finance Ministers, the fees will, however, from now on, remain to their full sums with the Foundation.

The Accreditation Council has reacted to the expert group's assessment in the last evaluation that, in the future, it will be increasingly infeasible to burden such a small head office with such an extensive task for the German higher education system – namely the further development of accreditation – and has made repeated efforts to increase funding in the past few years. These efforts have at least had the result that full-sum fees charged by the Accreditation Council for accreditation and reaccreditation of agencies, and for random sample or specific-purpose assessments, remain with the Foundation.

Pursuant to Fee Act for the state of North Rhine-Westphalia, the Foundation considers administrative expenses in the calculation of fees. As a result, the agencies are only charged for costs that have been actually incurred. At the same time, this also means that the charged fees solely cover the Foundation's incurred administrative expenses (remuneration, travel- and accommodation costs, work time of head office staff etc.) and no additional and freely disposable funds are generated.

In the drafting of the fee rates, the administrative costs for individual activities were calculated based on estimates. With the aim of calculating fees on an empirical basis and to base their calculation on actual administrative costs, an evaluation of the fee rates was undertaken in the years 2011 and 2012. The adjustments resulting from this will most likely lead to a moderate increase of the fee rates. The revised fee rates were discussed at the round table meeting with the agencies; a resolution for a corresponding adjustment of the fee calculation is planned for November 2012 in the Accreditation Council and December 2012 in the Foundation Council.

Human-, spatial- and material resources

Pursuant to the employment plan, the staff resources of the head office of the Foundation comprise one managing director (100%), three consultants (2.5 full-time equivalents) and a secretary (50%); a further, though temporary, position was established from special funds as a compensatory measure for the ENQA presidency of the managing director. With the exception of this position, the employment contracts are permanent. Since May 2012, the Foundation has additionally employed a student assistant with 20 h per month. With the exception of the assistant – the employees are all higher education graduates; remuneration is made in accordance with the wage regulations of the framework collective agreement for the federal states (TV-L). The tasks of the head office are regulated in a Schedule of Responsibilities, which determines the individual responsibility areas together with a corresponding substitution regulation. (Annex 1.15)

At the head office on Adenauerallee 73 in Bonn, the Accreditation Council has four leased offices with a total area of approx. 120 sq m.

The EDP equipment of the currently six workplaces comprises, respectively, one Pentium III or Pentium IV computer or higher, a flat screen monitor, a telephone and Internet connection.

Evaluation

The funding provided by the Länder for the Foundation cover the fixed costs for personnel, rent, materials and administration, as well as the costs incurred on an ongoing basis tied to the meetings of the Accreditation Council and Foundation Council. All plans and projects extending beyond the routine fulfilment of tasks – such as supporting pilot- and/or research projects in the area of quality assurance and accreditation – cannot be financed with the funds currently available. Particularly with regard to the tasks tied to critical support and further development of system accreditation, as well as the assessment of the system accreditation procedures undertaken by the agencies, and in light of consequences the introduction of this new procedure bears for the accreditation system and German higher education, the resources of the head office can hardly be considered adequate in the context of ESG Standard 3.4. The expert group for the evaluation of the Foundation in 2008 already spoke of a discrepancy between the strategic task of the Foundation and its resources.

The available funds also do not suffice for carrying out public relations in the desired scope. In particular, it would be necessary to also support public dialogues on the status and perspectives of accreditation e.g. through expert meetings and conferences. In light of this, the Foundation views an increase of its financial resources as urgently necessary.

5.5 Mission Statement (Standard 3.5)

STANDARD: Agencies should have clear and explicit goals and objectives for their work, contained in a publicly available statement.

GUIDELINES: These statements should describe the goals and objectives of agencies' quality assurance processes, the division of labour with relevant stakeholders in higher education, especially the higher education institutions, and the cultural and historical context of their work. The statements should make clear that the external quality assurance process is a major activity of the agency and that there exists a

systematic approach to achieving its goals and objectives. There should also be documentation to demonstrate how the statements are translated into a clear policy and management plan.

On 18.06.2007, the Foundation adopted a mission statement that defines its understanding of quality, as well as the tasks and objectives of the Foundation, and the measures for achieving these objectives (Annex 1.8):

“The Foundation for the Accreditation of Study Programmes in Germany has the statutory task of organising the system of quality assurance in learning and teaching through accreditation of study programmes. It views itself as an organisation that makes an important contribution to the securing and development of the quality of learning and teaching in German higher education institutions and that thereby strengthens and enhances the reputation of German study programmes in Germany and abroad.” (Annex 1.8)

The tasks and objectives defined in the mission statement are converted to concrete measures in the “System of Internal Quality Assurance of the Foundation for the Accreditation of Study Programmes in Germany” of 28.06.2012 based on the performance generating processes (definition of the criteria and rules of procedure, accreditation of accreditation agencies, assessment of the work of the agencies) and the support processes (strategic planning, finance planning, personnel recruiting and qualification, internal processes in the head office – Annex 1.12).

5.6 Independence (Standard 3.6)

STANDARD: Agencies should be independent to the extent both that they have autonomous responsibility for their operations and that the conclusions and recommendations made in their reports cannot be influenced by third parties such as higher education institutions, ministries or other stakeholders.

GUIDELINES: An agency will need to demonstrate its independence through measures, such as:

- **its operational independence from higher education institutions and governments is guaranteed in official documentation (e.g. instruments of governance or legislative acts);**
- **the definition and operation of its procedures and methods, the nomination and appointment of external experts and the determination of the outcomes of its quality assurance processes are undertaken autonomously and independently from governments, higher education institutions, and organs of political influence;**
- **while relevant stakeholders in higher education, particularly students/learners, are consulted in the course of quality assurance processes, the final outcomes of the quality assurance processes remain the responsibility of the agency.**

With regard to ESG Standard 3.6, the Accreditation Council represents a special case in the sense that, structurally, it is assigned the role of a connecting link between the state or political level of responsibility (Länder and stakeholders) and the operative level of the agencies. ESG Standard 3.6 can therefore not be fully applied in an analogue manner. For this reason, the critical assessment of the expert group from the past evaluation of the Foundation should be viewed in a differentiated way. In its function as legislative body toward the agencies, the Accreditation Council must first and foremost ensure the independency or instruction-freedom of the agencies with regard to decisions on programme-

and/or system accreditation in their responsibility. However, in its function as certification office, it must be guaranteed that the decisions are made by the Accreditation Council in its own responsibility and that the decisions are not bound by instruction.

The Foundation works on the basis of the “Accreditation Foundation Law [Law Establishing the Foundation “Foundation for the Accreditation of Study Programmes in Germany” of 15 February 2005] in the version of 01.04.2008 and has the legal status of a legally responsible Foundation of public law. The members of the Accreditation Council are appointed for a term of four years; for students, a term of two years applies, after which time a new appointment is required. As the members of the Accreditation Council are not bound by instruction pursuant to § 6 para. 3 of the statutes, the independence of decisions in the responsibility of the Accreditation Council is guaranteed. This applies both with regard to the adoption of accreditation rules and decisions on the certification of agencies and the appointment of experts for certification procedures, which are solely the task and responsibility of the Accreditation Council.

To prevent the risk of conflicts of interest, the experts appointed by the Accreditation Council must sign a statement of impartiality before commencing with a procedure. With the signature, the experts confirm that they (a) are in no way bound to the accreditation agency, (b) are not involved in ongoing accreditation procedures of the agency as experts, (c) are not related to persons in the committees or the head office of the agency and (d) are not in any close, cooperation relationships with the agency (Annex 3.3).

As the Accreditation Council makes its decisions with the majority of its members according to § 7 para. 1 sentence 3 ASG, blocking minorities of certain member groups e.g. the representatives of the Länder- or higher education institutions are fundamentally excluded.

In addition, the Accreditation Council adopted a “Code of Conduct for Members of the Accreditation Council” in March 2009 (Annex 1.9) comprising, among other things, the following principles:

- members of the Accreditation Council exclusively act and decide as experts in the field of quality assurance at higher education institutions based on quality aspects and are not bound by the instructions of third parties.
- members of the Accreditation Council act and decide in good faith and to the best of their knowledge in the interest of the Foundation.
- members of the Accreditation Council do not use their membership for the realisation of own interests or the interests of third parties, and exclude the possibility of abuse of the information obtained as part of their activity.
- members of the Accreditation Council declare a conflict of interest or their impartiality with regard to an item on the agenda immediately on the opening of the meeting to the chairperson. In such a case, they do not take part in the consultations and decisions of the Accreditation Council in this matter.
- members of the Accreditation Council are not active in committees of accreditation agencies carrying the seal of the Accreditation Council or organisations to which the above-mentioned agencies are tied in a legal-, institutional-, organisational-, financial- or staff-related manner, provided decisions in the German accreditation system are concerned.

- members of the Accreditation Council do not take part in procedures and consultations of committees of accreditation agencies carrying the seal of the Accreditation Council or organisations to which the above-mentioned agencies are tied in a legal-, institutional-, organisational-, financial- or staff-related manner, provided decisions in the German accreditation system are concerned.

The expert group from the previous evaluation of the Foundation viewed a possible influencing of politics on the Accreditation Council through the Länder representatives as being problematic. This critical perspective may be understandable in the respect that the representation of state offices in an institution for quality assurance in higher education is unusual in the international comparison and that comparable constructions are hardly to be found in the European higher education region. However, the Accreditation Council believes that the membership of representatives of the Länder has, to date, not detracted from the independency of its decisions. The representatives of the Länder have neither veto power nor do they assume any other special position.

Contrary to the sceptical expert group's opinion from the past evaluation, the Foundation expressly refers to positive experience with the representation of *all* stakeholders – including that of the Länder representatives in the Accreditation Council. State participation not only ensures that the members of the Accreditation Council are directly informed of political decision-making processes and the positions of the Länder, but also that consultations and discussions in the Accreditation Council, as well as findings from the operative accreditation business, can flow into the political level through the representatives of the Länder. In the past, this ensured feedback between the political framework – e.g. with regard to the function and role of accreditation in the Higher Education Acts of the Länder – and the regulatory tasks to be undertaken by the Accreditation Council for the concrete accreditation practice. The positive evaluation pertaining to the representation of all stakeholders in the Accreditation Council is documented, among other places, in the mission statement of the Foundation. There it stands: "Identification of good quality characteristics of teaching and learning and their evaluation requires participation of the Higher Education Institutions and their members, of the government, of international experts and of representatives from the profession.." (Annex 1.8)

As resolutions in the Accreditation Council are based on the majority principle, it is – as shown in numerous voting sessions in the past – the quality of the argument and not the belonging to one of the interest groups of the Accreditation Council that matters in the voting conduct of individual members.

5.7 External quality assurance criteria and processes (Standard 3.7)

STANDARD: The processes, criteria and procedures used by agencies should be pre-defined and publicly available. These processes will normally be expected to include:

- a self-assessment or equivalent procedure by the subject of the quality assurance process;
- an external assessment by a group of experts, including, as appropriate, (a) student member(s), and site visits as decided by the agency;
- publication of a report, including any decisions, recommendations or other formal outcomes;
- a follow-up procedure to review actions taken by the subject of the quality assurance process in the light of any recommendations contained in the report.

Guidelines: Agencies may develop and use other processes and procedures for particular purposes. Agencies should pay careful attention to their declared principles at all times, and ensure both that their

requirements and processes are managed professionally and that their conclusions and decisions are reached in a consistent manner, even though the decisions are formed by groups of different people. Agencies that make formal quality assurance decisions or conclusions which have formal consequences should have an appeals procedure. The nature and form of the appeals procedure should be determined in the light of the constitution of each agency.

Certification of agencies

All accreditation-relevant guidelines for the certification of agencies can be found in the following resolution of the Accreditation Council, published on the website of the Foundation:

“Rules for the Accreditation of Agencies” of 08.12.2009 in the version of 10.12.2010 (Annex 3.1). This resolution states the criteria and procedural- and decision rules for procedures for the accreditation of agencies.

The rules of procedure stipulate that the applicant agency must first prepare a self-evaluation report that is presented to the expert group appointed by the Accreditation Council. The expert group normally comprises five individuals with one member of the Accreditation Council and representatives of the relevant stakeholders. These particularly include academia, students and professional practice. In addition, two members of the expert group should come from a foreign country. In the last two certification procedures, a member of the Accreditation Council was not appointed in order to allow clearer separation between the review and decision-making.

The assessment of the respective agency by the expert group takes place as part of an on-site visit. Following the on-site visit, the members of the expert group prepare a report documenting the results of assessment with references to the criteria of the Accreditation Council. The decision on the certification of the agency is made based on the report, which the agency receives prior to this for its statement. The Accreditation Council may also hold a hearing of the agency. Following the procedure, the Accreditation Council publishes its certification decision including possible conditions and recommendations, the explanatory statement for the application, the report, and the statement of the agency.

If an agency is accredited under conditions, then it must fulfil the conditions within the term provided. The Accreditation Council again decides regarding the fulfilment of the conditions. The consequences taken by the agency with regard to the recommendations possibly contained in the report are a subject of the review in the new certification procedure on expiry of the accreditation term.

To inform the applicant agencies of the requirements of the procedure for certification in advance, the Accreditation Council adopted the “Guidelines for Accreditation or Reaccreditation of an Agency” in May 2011 (Annex 3.2). The guidelines provide information on the preparation and opening of the procedure, the criteria, the decision options, the completion of the procedure, possibilities for appeals, the anticipated costs and the procedure for confirmation of or application for ENQA membership.

Programme- and system accreditation

All accreditation-relevant guidelines for the accreditation of study programmes (programme accreditation) and for the accreditation of internal quality assurance systems of higher education institutions (system accreditation) are to be found in the following resolution of the Accreditation Council, published on the website of the Foundation:

“Rules for the Accreditation of Study Programmes and for System Accreditation” of 08.12.2009 in the version of 23.02.2012 (Annex 4.1). This resolution states the criteria and the procedural- and decision rules for the accreditation of study programmes and for system accreditation, including special rules for the accreditation of combined study programmes, for procedures for cluster accreditation, for the accreditation of intensive study programmes and joint programmes, and for concept accreditation.

Analogue to the rules of procedure for the certification of agencies, the procedure for accreditation of study programmes and for accreditation of internal quality assurance systems of higher education institutions is characterised by the following procedural elements: (a) self-evaluation report of the higher education institution, (b) appointment of an expert group by the agency, (c) involvement of the relevant stakeholders (academia, students and professional practice), (d) on-site visit of the higher education institution, (e) preparation of a report and (f) accreditation decision of the committee of the respective agency that is responsible for the final decision based on the report.

Following the procedure, the agency publishes the decision, the reports and the names of the participating experts. In the case of negative decisions, there is a corresponding notification to the Accreditation Council rather than publication.

If the accreditation is tied to conditions, the respective higher education institution must demonstrate fulfilment of the conditions within the term given. The agency decides the fulfilment of the conditions. The consequences taken by the higher education institution with regard to the recommendations possibly contained in the report are a subject of the review in the new certification procedure on expiry of the accreditation term.

Appeals procedure

An agency may appeal decisions of the Accreditation Council on the accreditation and reaccreditation of the agency within one month after the decision has become effective by submitting an appeal in writing. For this purpose, the Accreditation Council has established an advisory Appeals Commission that accepts appeals from agencies via the head office of the Accreditation Council and presents a recommendation for a decision to the Accreditation Council. The commission comprises two members of the Accreditation Council and one further member. In the case of an appeal of the rejection of reaccreditation, the Accreditation Council decides after consulting with the Foundation Council. Otherwise, the possibility of instituting legal proceedings remains unaffected.

5.8 Accountability procedures (Standard 3.8)

STANDARD: Agencies should have in place procedures for their own accountability.

GUIDELINES: These procedures are expected to include the following:

- 1. A published policy for the assurance of the quality of the agency itself, made available on its website;**
- 2. Documentation which demonstrates that:**
 - **the agency’s processes and results reflect its mission and goals of quality assurance;**
 - **the agency has in place, and enforces, a no-conflict-of-interest mechanism in the work of its external experts;**

- **the agency has reliable mechanisms that ensure the quality of any activities and material produced by subcontractors, if some or all of the elements in its quality assurance procedure are subcontracted to other parties;**
- **the agency has in place internal quality assurance procedures which include an internal feedback mechanism (i.e. means to collect feedback from its own staff and council/board); an internal reflection mechanism (i.e. means to react to internal and external recommendations for improvement); and an external feedback mechanism (i.e. means to collect feedback from experts and reviewed institutions for future development) in order to inform and underpin its own development and improvement.**

3. A mandatory cyclical external review of the agency's activities at least once every five years.

Quality assurance of the Foundation

Since June 2007, the Foundation has had a formalised system for internal quality assurance (Annex 1.12). The central objective of the internal quality assurance of the Foundation is the continuous assessment and, if required, improvement of internal processes, in order to ensure qualitative and also efficient fulfilment of the Foundation's statutory tasks. In addition, the quality measures are to ensure consistency of the decisions of the Foundation's bodies.

To secure sustainable internal quality assurance, the Foundation has instituted the working group "Quality Assurance" comprising three members of the Accreditation Council. The task of the working group is the implementation of the resolution for internal quality assurance of the work of the Accreditation Council. Emphasis is placed on the internal processes with regard to performance generation and support. The working group annually prepares a quality report informing of the implementation of measures defined in the quality policy and possibly containing recommendations for improvements (Annexes 5.2).

The system of internal quality assurance is oriented on the task and objectives of the Foundation and primarily comprises procedures that ensure continuous feedback from the actors involved in the certification procedures, i.e. members of the Accreditation Council, experts, the head office and the agencies.

Pursuant to § 11 of the Foundation's statutes, the work of the Foundation is evaluated at regular intervals of approx. five years and with involvement of foreign experts (Annex 1.4).

To prevent conflicts of interest in the certification procedure, the Accreditation Council decided that all experts working for the Council must sign a statement of impartiality (Annex 3.3).

Information

Accountability also means informing the public of the activity of the Foundation, the fulfilment of statutory tasks, the use of funds and developments in the accreditation system. For example, it is one of the tasks of the Foundation pursuant to § 2 para. 2 no. 4 ASG to regularly inform the Länder of the development of restructuring the study system to the tiered study structure, and to report on quality developments pertaining to accreditation.

In its statutes, the Foundation equally obliges pursuant to § 4 para. 3 to advise the KMK, GRC and the public of the accreditation decisions of the Accreditation Council regarding the agencies and of the accreditation decisions of the agencies regarding higher education institutions.

One of the central instruments for publication of accreditation data and the preparation of information for the Länder, higher education institutions, agencies and the interested public is the Foundation's website, which was revised and updated in the summer of 2012 (www.akkreditierungsrat.de).

KMK and GRC each receive result annotations of the meetings of the Accreditation Council and of the Foundation Council, and are informed of significant resolutions of the Accreditation Council by the chairperson in writing. The Foundation additionally provides an annual Activity Report with information on results of the Foundation's work and current developments in accreditation in the national and international context. (Annex 5.1)

Since the beginning of 2011, the head office of the Foundation has published a quarterly newsletter that informs the interested public of results from the meetings of the Accreditation Council, newer developments in the German accreditation system, people and dates, or events currently in planning. (Annex 5.9).

Results

Quality assurance of the Foundation

On completion of the respective certification procedures, the head office of the Foundation surveyed all involved in the procedures, i.e. agencies, experts and members of the Accreditation Council, regarding the quality of the procedure and processes, and potential for improvement. The survey of the experts and members of the Accreditation Council took the form of a questionnaire, the survey of representatives of the agencies took the form of guided interviews of the managers (Annex 1.13).

The following quality improvement measures were developed and implemented from the results of the surveys:

- Many surveyed recommend a content revision of the "Criteria for the Accreditation of Agencies" in order to achieve better differentiation and fewer redundancies. This suggestion could be immediately implemented as part of the revision of the resolutions of the Accreditation Council on 08.12.2009. In the newly structured resolution "Criteria for the Accreditation of Agencies", redundancies have been removed.
- Many members of the Accreditation Council stated that the hearing of the agency's management at the meeting of the Accreditation Council before the decision is not necessary in every case and the resolution should be correspondingly adjusted. This suggestion could be immediately implemented as part of the revision of the resolutions of the Accreditation Council on 08.12.2009. Pursuant to Clause 1.7 of the resolution "Rules for the Accreditation of Agencies" of 08.12.2009, the Accreditation Council may carry out a hearing of the agency for clarification of open questions before the decision.
- It was also expressed that a set of "guidelines" with a detailed description of the procedure would help the orientation of the agencies during the procedure. This suggestion was implemented and corresponding guidelines were presented in summer 2010. In addition to information on the procedure, these also contain references to the respective tasks, requirements of the roles of the applicant agency, the experts, and the head office of the Accreditation Council.

The working group "Quality Assurance" assessed these surveys and documented the results in the quality reports (Annexes 5.2).

The other “performance generating processes” of the Foundation, such as the definition of criteria and rules of procedure for programme- and system accreditation, or the monitoring of accreditations undertaken by the agencies are also reviewed by the internal quality assurance system. Accordingly, the quality reports of the working group “Quality Assurance” provide information on the relationship between quality demand, taken quality measures and major results based on the internal quality assurance system of the Foundation (Annex 1.12). From the findings gained from this, the working group derives recommendations that are also documented in the reports.

Example 1: Further development of the random sample assessment

The experience of the head office at the time had shown that the random sample assessment of four procedures per agency and year normally yielded little information on changes of the agencies’ practices or systematic knowledge regarding how the agencies treat certain criteria and rules of procedure.

To honour these arguments, the working group “Quality Assurance” determined a corresponding need for action in its first quality report in 2009 and subsequently presented a recommendation for the further development of the assessment procedures. According to the recommendation, a “cross-sectional inspection” should be undertaken in future, which would allow a more comprehensive analysis of the agency procedures and would therefore take place less often. After intensive consultation with the agencies at a round table meeting, the Accreditation Council decided to try the new assessment procedure in 2012 in a one-year pilot phase and, only after evaluation of the experience gained, to decide on establishing this in the corresponding resolutions of the Accreditation Council.

Example 2: Further development of the criteria and rules of procedure

Pursuant to Clause 1.2, the internal quality assurance system of the Foundation for the Accreditation of Study Programmes in Germany provides for participation of all groups represented in the Accreditation Council in the development of criteria and rules of procedure. Through surveys with the agencies and members of the Accreditation Council at approx. two-year intervals, possibly required updates are assessed. In this, the members of the Accreditation Council and the agencies are asked for feedback regarding the effectiveness of the criteria for the accreditation of agencies and study programmes, and for system accreditation. The results are discussed together with the agencies and possible recommendations for changes to criteria and procedures are presented to the Accreditation Council.

In accordance with this quality measure anchored in the quality assurance system, the resolutions for the accreditation of agencies and programme accreditation were revised in content, debureaucratized and simplified in 2009 based on the experience gained in the past years. Before the first reading at the Accreditation Council, agencies, members, GRC and KMK had the opportunity to submit their wishes for changes or additions. The revised versions of the resolutions were forwarded to the agencies for agreement pursuant to § 2 of the agreements with the agencies and discussed at the round table in November 2009. After intensive discussion, the resolutions of the Accreditation Council were adopted in the second reading in December 2009.

Information

The website of the Foundation contains an overview of all resolutions of the Accreditation Council. The resolutions, as well as the relevant documents of KMK and GRC, are available to the users of the Foundation’s website as PDF files. The website also contains information on the German accreditation

system, the members of the Foundation's bodies, the agencies accredited by the Accreditation Council, the head office contact persons, and the scheduled meetings of the Accreditation Council. To ensure transparency of the certification procedures carried out by the Accreditation Council, all pertinent documents, such as the accreditation application of the agency, the resolution of the Accreditation Council, the statement of the agency and other subsequently filed documents of the agency are published on the website of the Foundation.

A current database offers the Länder, those interested in the studies, employers and the interested public detailed information on the profiles and assessments of the currently accredited study programmes. For all programme accreditation procedures started since 01.06.2010, the full reports are also to be published. By linking the database with the Higher Education Compass of the GRC, a high degree of reliability and currentness of the accreditation data can be guaranteed. From the database, consistently updated statistics can also be generated that inform the database user of the number of completed procedures, itemised according to degrees, subject groups, conditions, federal states, accreditation agencies and standard periods of study.

The website of the Foundation provides a password-protected internal area as an information platform for the agencies. Here, the quality seal the Foundation can be downloaded. The internal area also offers a resolution archive and an overview of the negative accreditation decisions of the agencies.

The eleven Activity Reports of the Foundation or Accreditation Council to date are published on the website of the Foundation and have also been electronically forwarded to the agencies, relevant higher education institutions, the ministries, the faculty- and departmental conferences, and further institutions dealing with the subject of accreditation and quality assurance in Germany and abroad.

Due to the working-group oriented approach of the Accreditation Council and the involvement of the agencies tied to this, and due to the consideration of central stakeholders (higher education institutions, Länder, professional practice) in the composition of the Accreditation Council, a high information level of partner organisations is already structurally ensured with the result that arising gaps in information are immediately identified and can be subsequently corrected.

The Foundation sees it as its task to improve the knowledge level of relevant stakeholders and the interested national and international public with regard to the accreditation system. This takes the form of responding to a large number of telephone- and written enquiries of students, higher education institutions, ministries, specialty societies and agencies on general matters of accreditation, resolutions of the Accreditation Council or ongoing accreditation procedures. The head office of the Foundation is normally staffed Mondays to Fridays from 8:00 to 18:00, and is available for non-fee consultation services. Through members and employees of the head office, the Foundation is also represented at a number of faculty conferences, seminars etc. and contributes to presentations on questions related to accreditation, quality assurance or the study reform in the broad sense.

Evaluation

Quality assurance of the Foundation

The systematic feedback mechanisms in the quality assurance system of the Foundation not only play an important role in the further development of the criteria and rules of procedure of the Accreditation Council, but are also of significant importance for the acceptance of the accreditation system as a

whole. Due to the various areas of assignment, responsibility and influence in the higher education and accreditation system (see [Chapter 3.1](#)), and the various interests and perspectives on accreditation-related therewith, the quality of the activities to be performed by the Accreditation Council always depend upon the quality of the cooperation and communication with the relevant stakeholders. In this regard, the feedback mechanisms not only generally present external perspectives of the work of the Foundation, but also interests represented in the accreditation system. Experience with e.g. feedback discussions with higher education institutions, expert groups and agencies on completion of the first six system accreditation procedures, with surveys of parties to the proceedings for certification of the agencies, or also with the participation of higher education institutions, students and practitioners of professions in the working group “Quality Assurance” has been assessed as correspondingly positive.

However, particularly in view of the importance of the higher education institution as the affected party, the Accreditation Council sees the need for development in many respects. First, there is the question of how higher education institutions, with their broad and valuable experience, can be better involved in the assessment of accreditation procedures. Secondly, the communication between the Foundation or the Accreditation Council and the system-accredited higher education institutions will be increasingly important as, in this case, the agencies would stand more in the background as a connecting link between the Accreditation Council and higher education institutions, and thereby also as information multiplier. As the application of the criteria for study programmes defined (and regularly further development) by the Accreditation Council is to be directly ensured by the system-accredited higher education institution, the Accreditation Council will first develop a corresponding informational instrument. At the same time, the higher education institutions will be an increasingly important partner with regard to experience-based feedback on the suitability and applicability of the rules of the Accreditation Council. The Accreditation Council’s assigned task of ensuring fair competition between the agencies also raises the question of with which measures higher education institutions can be more strongly placed in the position of a “knowledgeable client” than has been the case to date.

Aside from the formalised quality assurance measures of the Foundation, the informal communication- and feedback structures also play an important role in ensuring qualitative work. As the head office of the Foundation is a very small organisational unit without sub-divisions into separate work areas or departments, the regular office discussions alone guarantee a continuous informational exchange. Difficulties arising in the various performance generating or support processes can be immediately discussed and timely adjustments can be made by resolution of the Board or Accreditation Council.

Information

The Foundation views it as its task to continuously inform the public of the Accreditation Council’s work, the requirements and results of the accreditation procedures, the functioning of the accreditation system and the further development of accreditation in Germany in a suitable manner. This task not only has its rationale in the financing of the establishment through predominantly public funds, but also in the accreditation demand to ensure transparency of procedures and results, and to inform students, employees and employers of the quality demand of accreditation. The Accreditation Council believes that the fulfilment of this task is a major requirement for a broad acceptance of the accreditation system.

In view of the very tight resources available to the Accreditation Council for public relations, the measures of the Accreditation Council for providing information can, in sum, be assessed as possibly satisfactory or, with certainty, expandable.

The system of accreditation is characterised by a comparatively dynamic development process, as can be seen in the further development of system accreditation. In the interest of the urgently required information of wide circles in the higher education institutions and the interested public with regard to objectives, approaches, and performance of accreditation procedures, the Accreditation Council feels that even wider public relations work using informational material and also specialist conferences, workshops and expert meetings would be more than desirable.

Considering the effort for data maintenance, which has been shown to be very high in the past, and the low amount of funds available for this – the data on the status of accreditations can also be assessed as satisfactory. As the database of accredited study programmes refers to the datasets of the Higher Education Compass of the GRC, the data parameters are predominantly determined by the organisational structure of the Higher Education Compass. As a consequence, the Accreditation Council can only decide the presentation of the core data and workflow of the database to a limited extent and in agreement with the GRC. In addition, the (automatically) produced statistical data only supply a limited number of indicators due to the fixed data parameters. Nevertheless, the Foundation is striving to continuously further develop the database. In 2009, for example, a highly user-friendly possibility to display the results of the system accreditation in the database was created. To give system-accredited higher education institutions the possibility to enter new study programmes themselves in the future after completion of internal certification, a corresponding change to the database programming was commissioned. Due to the tight budget situation, this measure cannot be carried out until 2013.

6. Challenges

Preface

The following sub-chapters are to provide a summarising overview of subjects and questions tied to accreditation that are central in the view of the Accreditation Council and that will accompany the work of the Accreditation Council in the upcoming years. Some are predominantly indisputable factual matters, such as the connection between the autonomy of higher education and responsibility for quality, or the specification of the competition concept on which the accreditation system is based. Some, however, are to outline areas in the German accreditation system that are challenging and result from the system's structure. These areas will characterise discussions regarding the further development of the system in upcoming years and will need to be dealt with by the Accreditation Council.

6.1 Autonomy of higher education and responsibility for quality

In the end, quality can only be produced and ensured by the higher education institutions themselves and under their respective frame conditions. The ability to act autonomously and assume responsibility for the quality of study offers is an important requirement for the success of higher education institutions in light of increasingly global competition for students, reputation and funding. An accreditation system that targets the securing and development of quality in learning and teaching must do justice to

this knowledge. In this context, the introduction of the accreditation system is to be understood as a reaction to the absence of the previous framework examination regulations and the resulting expansion of the higher education institutions' structural freedom. In place of standardised framework requirements, accreditation strives to make variety and the development of distinct profiles possible, and to place responsibility for the quality of the profiles and study offers with the higher education institutions.

Accreditation as an *external* quality assurance procedure will have to be measured as to whether it is successful in providing impulses for *internal* quality assurance and -development, which is increasingly a fixed element of the operative task spectrum of higher education institutions. The assessment of the guidelines for the accreditation of study programmes (programme accreditation) and of internal quality assurance systems (system accreditation) defined by the Accreditation Council, must not restrict itself to the question of the applicability or direct effects of individual criteria or rules of procedure, but must also continue to consider the overarching goal of supporting self-responsible actions that promote quality.

In this regard, the external quality assurance exercised by the Accreditation Council towards the agencies should *consider* the effectiveness of their internal quality assurance, as provided by ESG Standard 2.1. But in its special case, something is added to this: the Accreditation Council must see to it that the agencies strengthen the ability of the higher education institutions to actively and independently design study offers and internal processes. Here, the autonomy of higher education must be understood as a necessary (but not a sufficient) requirement for quality measures of a higher education institution.

6.2 Transparency and fair competition

Ensuring fair competition among the agencies is essentially not a special task of the Foundation but a result of the proper performance of the core tasks to be fulfilled by the Accreditation Council: ensuring comparable procedures by auditing rule compliance, guaranteeing that the agencies fairly conduct themselves with regard to the seal of the Accreditation Council, ensuring transparency of the criteria and accreditation decisions, as well as preventing profit orientation on the part of the agencies.

Neither the ASG nor the Accreditation Council itself provides rules on to what the competition should extend or what it should have as an effect (all rules of the Council would equally apply if only one single agency were to accredit). The only type of competition of the agencies that remains possible here pertains to the quality of their services (e.g. procedural organisation, accessibility, observing schedules etc.). This competition is based on the circumstance that the higher education institutions have the free choice between several agencies. In this regard, the Accreditation Council cannot be referred to as a competition guardian in the narrower sense. It solely has the task of ensuring agencies' compliance with the fairness rules in their conduct with higher education institutions by securing the full and consistent consideration of its rules.

6.3 Comparability of the procedures

In determining the criteria for the accreditation of study programmes, the Accreditation Council finds itself confronted with the following challenge: on the one hand, the criteria are to allow the higher education institutions sufficiently wide freedom in structuring the concepts of their study programmes; on the other hand, the criteria need to be designed in such a manner that they may ensure a minimum amount of comparability with regard to the accreditation results (on this, also see [Chapter 3.2.1](#)).

Both the criteria of the Accreditation Council and of the Common Structural Guidelines of the Länder, which are to be considered in the accreditation, allow certain freedoms. These can and should be used by the higher education institutions for the individual design of their study programmes, and by the agencies or experts for the external review thereof. In accreditation practice, however, the agencies sometimes expect clear guidelines for interpretation from the Accreditation Council so as to ensure equal treatment of the higher education institutions in accreditation and to provide legal certainty in the decision-making. This, however, would require a specification of the content of the individual freedoms. Due to the diversity of the study programme concepts to be assessed in accreditation, the Accreditation Council feels that a responsible assessment of the individual case by the appointed expert must be of preference over preliminary definitions with standardising effect. The freedoms contained in the rules of the Accreditation Council should essentially not be understood as “gaps” that need to be subsequently closed, but as a prompting of the higher education institutions to make use of their structural options in designing their study programmes (cf. on this: recommendations of the German Council of Sciences and Humanities, page 61).

The challenge described above regarding the two (indisputable) conflicting objectives of “promotion of diversity” and “equal treatment of the higher education institutions by the agencies” including “comparability with regard to the accreditation results” results into a productive conflict of objectives, which should not be resolved on a preliminary basis but worked on by the actors involved (Accreditation Council, agencies and higher education institutions) through responsible conduct with the freedoms granted and fair communication.

6.4 Disciplinary standards

In the view of the Accreditation Council, the disciplinary and content-related assessment of a study programme is a central element of the accreditation procedure. However, this assessment is not undertaken on the basis of predefined disciplinary standards but solely through qualified academic experts or expert practitioners of professions. Correspondingly, the academic qualification of graduates, their capability to take up qualified employment, and the acquiring of specialist knowledge and skills are an express element of the criteria and thereby also the subject in the accreditation procedure.

Pursuant to Art. 5 of the Basic Law for the Federal Republic of Germany, the accreditation procedure must not only respect the freedom of research and teaching, but – as shown in Chapter 6.1 – also accommodate the increased structural freedom of the higher education institutions with regard to autonomous actions and self-responsibility (on this, see [Chapter 3.2.1](#)).

The accreditation system is based on the premise that the aspects of disciplinary specialisation and employability are added to the accreditation procedure through the expertise of the experts, whereby

the evaluation parameters of the individual experts naturally always refer to the standards considered recognised in their respective academic or professional networks. The influence of these standards and the legitimisation of the committees that formulate them has, to date, not been expressly discussed in the accreditation system (cf. the discussion paper of the Gewerkschaftliches Gutachternetzwerk “On inclusion of disciplinary- and employability aspects in the accreditation system”, page 4), however, it is a central feature of the German accreditation system that experts evaluate free from instruction and in their own professionally informed responsibility. Requirement for this is the inclusion of experts who neither ignore the “*communis opinio*” of their discipline nor subordinate their own professional judgment completely to the mainstream.

To examine the importance of disciplinary orientation and employability as well as the relation between individual judgement in the peer groups and the standards set by the scientific resp. professional networks the Accreditation Council has set up a working group at its meeting on 29 November 2012 that will enter into a dialogue on the above mentioned issue with the different stakeholder groups.

6.5 Further development of instruments for monitoring of accreditations

The specific-purpose assessment of accreditation procedures in its current form is an important instrument of the Accreditation Council for responding to concrete complaints or – when corresponding indications are present – to become active for its own initiative. In this respect, the specific-purpose assessment is an instrument of consumer protection and plays an important role in the impact and acceptance of accreditation.

In the first years after their introduction, the random sample assessments have contributed to some significant improvements in the procedure routines of individual agencies. However, the influence of the random samples is now increasingly limited to the concrete, individual procedure and does not provide corresponding insights into work practices or development potential of performances.

With this in mind, the Accreditation Council carried out a pilot procedure for the trial of a “cross-sectional inspection” that allows a broader analysis of the procedures undertaken by the agencies and that is to place the Accreditation Council in a position to monitor the consideration of individual features of a large number of procedures. However, the evaluation of experience from the pilot procedure showed that expended effort and benefit of the cross-sectional inspection do not stand in a satisfactory ratio. For example, it was also shown here that an assessment of accreditation procedures based on files only leads to valid results when the procedures have been thoroughly and transparently documented by the agencies.

The Accreditation Council is essentially confronted with two different task areas in its monitoring of accreditations: The Accreditation Council must have instruments at the “knowledge level” that place it in a position to obtain valid information on the procedural practice of the individual agencies in sufficient scope. Simultaneously, the Accreditation Council must ensure on the “enforcement level” that knowledge gained from the monitoring leads to corresponding consequences with regard to quality development. The further development of the assessment procedures initiated by the Accreditation Council with the pilot project for cross-sectional inspection will need to consider both levels.

In connection with the monitoring of accreditations, reference is made again to the importance of the internal quality assurance of the agencies (see Chapter 6.1). A monitoring procedure can only have a lasting effect when the agencies view the “control aspect” at least as an impulse for quality development and take corresponding measures to prevent future errors.

6.6 Joint programmes

In the Bucharest Communiqué, the ministers of 47 signatory countries emphasised the importance of joint programmes for the realisation of the European Higher Education Area (EHEA) and encouraged higher education institutions to further develop such cross-border programmes as part of a more broadly defined EHEA approach. At the same time, the ministers strive for the recognition of decisions made by EQAR-registered agencies for study programmes with joint degrees and double degrees, and, in this context, have declared the need to seek possibilities to dismantle obstacles to cooperation and mobility in the EHEA.

The varying national guidelines are indeed a source of substantial difficulties not only for higher education institutions but also for accreditation agencies in the accreditation of joint programmes. Some of these difficulties stem from varying political-structural guidelines, such as the establishment of minimum or maximum study periods, or the number of ECTS credits awarded; however, they are also the result of varying guidelines for the implementation of quality assurance procedures and -measures. In recent years, and with consideration of the special rules for the accreditation of joint programmes, the Accreditation Council has attempted to reduce hurdles for the accreditation of joint programmes, however without questioning the special kind of quality demand tied to these types of study programmes.

Particularly with highly complex study programme models characterised by the participation of several higher education institutions from many European and non-European countries, demands on quality result not only with regard to the fundamental study programme concept but also with regard to the cooperation between the institutions involved and the measures undertaken by them to ensure the quality of individual study programme elements. These special demands must be considered by a quality assurance procedure that places consistent emphasis on the joint programme as a whole, even if this means greater effort on the part of the participating higher education institutions. The accreditation procedures could therefore be facilitated primarily through the recognition of decisions relating to accreditation or quality assurance, and through flexible treatment of national “structural guidelines” and guidelines for quality assurance procedures.

6.7 Recognition of foreign accreditation decisions: Scenarios and perspectives

Based on the European Higher Education Area and as a core idea of the Bologna Process, simplifying procedures for the recognition of foreign accreditation decisions is certainly desirable. At the same time, the Accreditation Council feels that a direct recognition of accreditation decisions of foreign institutions not certified by the Accreditation Council is difficult to justify to the extent that the significance of the legally provided certification procedure would be questioned here. Furthermore, it would come to an unequal treatment of agencies that must absolve the certification procedure by the Accreditation Council and agencies that are not subjected to this procedure. For this reason, a liberalisation of rec-

ognition practices would necessitate fundamental corresponding amendments of the norms of the accreditation system in Germany.

A recognition model avoiding this unequal treatment could target a widening of the rules for recognition for joint programmes to include all Bachelor's- and Master's study programmes. The recognition of a foreign accreditation decision could then take place under certain conditions – in accordance with Clauses 1.5.7 to 1.5.9 of the “Rules for the Accreditation of Study Programmes and for System Accreditation” – through an agency certified by the Accreditation Council. However, a discussion regarding this issue will first be held when extensive experience with the recognition procedures for the accreditation of joint programmes is given.

One often-discussed proposal for a procedure for fundamentally recognising accreditation decisions of agencies listed in the European Register EQAR would require a major change of the system. However, there is the question in this case of in what manner or through which institution the compliance with the common- and, possibly, state-specific structural guidelines would be ensured in the future.