



Foundation for the Accreditation of Study Programmes in Germany

2004 Activity Report



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Head Office
Stiftung zur Akkreditierung von Studiengängen in Deutschland
(Foundation for the Accreditation of Study Programmes in Germany)
Adenauerallee 73, 53113 Bonn
Phone: +49 (0)228-338 306-0, fax: +49 (0)228-338 306-79
Email: akr@akkreditierungsrat.de
Internet: <http://www.akkreditierungsrat.de>

Editorial: Franz Börsch M.A., Dr. Angelika Schade

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Activity Report 2004

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Preface

The assignment of responsibility for the Accreditation Council¹ to a public foundation and the associated creation of a legal basis for the accreditation system made it possible to complete another successful chapter in the still young history of quality assurance in Germany. Equipped with minimal financial resources, the Accreditation Council managed to have a major impact on and to develop an unmistakable profile in the structure of quality assurance in Germany and at European level. This was only possible because the Accreditation Council saw itself, right from its inception, as a learning system and so expressed its willingness to examine and discuss new insights and developments and to respond flexibly, without ever allowing this to call into question its identity and its commitment to quality.

In the future, too, the work of the Accreditation Council will have to be shaped by endeavours to combine the process of consolidating the accreditation system with that of its continuing development. Since the Accreditation Council is – and especially in view of the dynamic developments in quality assurance taking place in the wake of the Bologna Process – committed to quality based on international standards, the field of international cooperation, in particular, will continue to grow in importance. Furthermore, the Accreditation Council will have to address questions of capacity problems that will inevitably arise from the full conversion of the former degree system into a two-cycle structure (Bachelor's/Master's) and from the large number of accreditations that still need to be carried out as a consequence of this.

And so the success of the accreditation system as the central quality control element in Germany will, in the future too, depend decisively on the ability and willingness of the Accreditation Council to meet and perform its overall responsibility for the accreditation system and to respond to the coming challenges quickly and with the required flexibility.



Bonn, February 2005

Prof. Dr. Hans-Uwe Erichsen

¹ Akkreditierungsrat

1. Consolidation and Expansion of the Accreditation System

1.1. Resolutions of the Accreditation Council

1.1.1 Descriptors

In accordance with sub-section 3.2 of the Common Structural Guidelines of the Länder² adopted by the Standing Conference of the Ministers of Education and Cultural Affairs of the Länder of the Federal Republic of Germany (KMK),³ Master's programmes are to be differentiated by the following profile types: "more practice oriented" and "more research oriented". So, according to the structural guidelines, the assignment to one of the two profile types which universities are required to specify in the respective Diploma Supplement is seen as a necessary prerequisite for the accreditation of Master's programmes and will be reviewed in the course of their accreditation. With the adoption of the Common Structural Guidelines of the Länder in October 2003, the KMK transferred responsibility for developing criteria on the assignment of the two profile types under consideration of international developments to the Accreditation Council. The Accreditation Council took up this task and, on 1 April 2004, adopted descriptors for the assignment of the profiles "research oriented" and "practice oriented"⁴ that the agencies are required to consider when accrediting Master's programmes.

In the preliminary remarks to the resolution, the Accreditation Council draws attention to the fact that there is no academically-inherent reason for specifying two distinct profiles and that, consequently, assignments can only be pragmatic decisions. In view of this, the descriptors developed by the Accreditation Council are to be seen as relative differences. They are to be applied in a degree programme specific approach and are to be selected and weighted in accordance with the relevant academic goal of the programme. Furthermore, the profile assignment must be seen in the context of other structural guidelines. This means that there are no differences between the two profiles in terms of admissions criteria for students, the programme lengths (time to degree) or number of credits; moreover, both profiles entitle holders to enter doctoral programmes, both profiles must lead to a degree with professional qualification, both profiles are in all other respects equal in status to university degrees (Diplom, Magister, etc.) previously awarded and both profiles can be offered by all types of higher education institutions.

The rules on the assignment of profiles apply to consecutive, non-consecutive and to (post)graduate Master's programmes.

² cf. KMK resolution "Ländergemeinsame Strukturvorgaben gemäß § 9 Abs. 2 HRG für die Akkreditierung von Bachelor- und Masterstudiengängen" of 10 October 2003.

³ Kultusministerkonferenz (KMK)

⁴ cf. Accreditation Council resolution "Deskriptoren für die Zuordnung der Profile 'forschungsorientiert' und 'anwendungsorientiert' für Masterstudiengänge of 1 April 2004.

1.1.2 Financing the Accreditation Council

Since the day the Statute⁵ came into force, the budget for the Accreditation Council and its office has been provided via Secretariat of the KMK as part of the financial package allocated to it. The funds which the Accreditation Council receives for the performance of its tasks have so far been provided proportionally by the Länder⁶ on the basis of the Königsteiner Schlüssel.⁷

When the Conference of Länder Finance Ministers (FMK)⁸ decided in 2002 to endeavour in the future to establish a financing system for the Accreditation Council that is cost neutral for the community of Länder by charging fees for the accreditation of agencies, the Accreditation Council pointed out that the increased costs for the accreditation of degree programmes resulting from charging fees would be politically and publicly difficult to communicate in the implementation phase of the accreditation system. Higher costs would directly impact the willingness of universities to introduce new degree programmes leading to Bachelor's and Master's degrees and so would countermand Germany's commitment within the Bologna Process to facilitate the rapid introduction of the two-cycle degree structure. Consequently, the Accreditation Council, in its resolution on the financing of the accreditation council,⁹ recommends that decisions to introduce a financing system for the Accreditation Council that is cost neutral for the community of Länder by charging of fees for the accreditation of agencies should be postponed until such time as the full conversion to the two-cycle degree structure has been completed. In the longer term, too, the financing of the Accreditation Council by charging fees for the accreditation of agencies can, in the opinion of the Accreditation Council, only take the form of supplementary financing. Responsibility for quality assurance lies with the Länder, which consequently means that responsibility for the financing of quality assurance must also – as is common international practice – lie with the state, which in this case means with the Länder.

1.1.3 Principles for the reaccreditation of degree programmes

According to the resolution on the future development of cross-Länder and cross-university quality assurance in Germany adopted by the KMK on 1 March 2002,¹⁰ the Accreditation

⁵ cf. KMK resolution "Statut für ein länder- und hochschulübergreifendes Akkreditierungsverfahren" of 24 May 2002 as amended 15 October 2004, sub-section 4

⁶ The 16 states of the Federal Republic of Germany

⁷ Official financing code for the distribution of financial burdens amongst the German Länder

⁸ Finanzministerkonferenz

⁹ cf. Accreditation Council resolution "Finanzierung des Akkreditierungsrates durch Erhebung von Gebühren für die Akkreditierung von Agenturen" of 2 February 2004

¹⁰ cf. KMK resolution "Künftige Entwicklung der länder- und hochschulübergreifenden Qualitätssicherung in Deutschland" of 1 March 2002

Council is responsible, inter alia, for setting the basic requirements and frameworks for accreditations and for ensuring that these requirements are met and complied with by the individual agencies when performing accreditations (sub-section 3.2.1). Over and above this, the resolution calls on the Accreditation Council to check to what extent the workload and costs of accreditation can be reduced in reaccreditations of degree programmes (sub-section 3.5).

Reaccreditations differ from accreditations above all on account of the fact that the degree programme to be reaccredited has already been running for a certain period of time. The quality assessment carried out in the course of the reaccreditation can and must therefore incorporate the previous results by giving particular consideration to assessing the extent of academic success achieved, by checking the student workload calculations, by rating the results of evaluations and by assessing statistical data, such as capacity utilisation, examination results, drop-out rate, etc. Furthermore, the reaccreditation must also request proof that any conditions and recommendations set in previous accreditations/reaccreditations have been met and that the ECTS has been introduced, and must ask for all changes that directly or indirectly affect the respective degree programme to be specified (course contents, modularisation/ECTS, staff, material equipment, cooperation agreements, etc.). In this respect, attention must be given to ensuring that the provisions of the Common Structural Guidelines of the Länder have been considered, in each case in the most recently amended version.

To create a transparent and reliable framework for the reaccreditation process and, at the same time, to keep the workload and costs of the process to a tolerable level, the Accreditation Council adopted the following principles for the reaccreditation of degree programmes at its 41st session.¹¹ According to the resolution, programmes must present the following papers and documents for reaccreditation:

- Reaccreditation application
- Assessment report on the previous accreditation / Accreditation letter
- Presentation of evaluation reports

The reaccreditation letter must contain the following information:

- Description of the curriculum and of the target qualification as well as presentation of the module manual.

¹¹ cf. Accreditation Council resolution "Grundsätze für die Reakkreditierung von Studiengängen" of 9 December 2004

- Overview of the academic staff involved in the degree programme and of the make of the teaching staff.
- Details on all changes made by the university since the completion of the last (re)accreditation (course contents, modularisation/ECTS, staff, material equipment, co-operation agreements, etc.).
- Relevant data and indicators on the academic success achieved including, for example, in the form of graduate surveys, student surveys, destination surveys.
- A statistical report that, at a minimum, contains information on the examination results achieved, the drop-out rate, first-year student numbers and, possibly, the percentage of foreign students.
- Presentation of the evaluation results under particular consideration of modularisation, ECTS and gender aspects plus an assessment of the student workload.
- Description of the university-own quality management system (output controls and checks on process quality).

The decision on whether the review of the to-be-accredited degree programme is carried out by a new meeting of reviewers, by an on-site inspection or by a paper-based circulation process is made by resolution of the commission of the accreditation agency in question on the basis of the evaluation results at hand. If a university or department is able to present unequivocally positive evaluation results, the process workload and cost can then be reduced substantially. However, the prerequisite for an agency's decision to review a programme by circulation is that the programme in question can present a qualified student verdict. This means that a corresponding verdict must either be obtained from the institutionalised student representation (student union or the like) or from those students on the relevant commission who are participating in the programme design.

The usual standards for accreditations apply to the selection of reviewers and to the make up of the review team as specified in the D-A-CH¹² principles on the make up of a team of experts for carrying out accreditations.¹³

1.1.4 Accreditation of degree programmes leading to double degrees and joint degrees

Cooperation between German and foreign universities and the award of joint and double degrees are becoming ever more important and so raise questions of how such degree programmes can be accredited by German agencies if a not insubstantial part of the programme

¹² D-A-CH is a network of German (D), Austrian (A) and Swiss (CH) accreditation councils and agencies

¹³ cf. "D-A-CH Grundsätze für die Zusammensetzung eines Expertenteams für Akkreditierungsverfahren" that can be downloaded from: www.akkreditierungsrat.de

curriculum is completed abroad. At institutional level, the mutual recognition of academic achievements can be achieved by agreements based on the universities' shared and common interest in international cooperation. By contrast, the national recognition of such degree programmes and the degrees they award, a process that is also intended to guarantee the quality of foreign study sections, is not without difficulty. Due to the growing number of such degree programmes, encouraged in particular by the EU, universities and agencies are increasingly asking for practicable processes to be established.

The Accreditation Council pointed out, under consideration of the statement issued by the Universities Committee of the KMK,¹⁴ that, in the case of double degrees, proof of an additional qualification must be furnished by the applicant university. Accordingly, joint degrees, too, i.e. degrees awarded by several universities on the basis of joint curricula, can only be conferred when the degree programme was indeed one that was jointly developed and when it is certain that the added value of such a degree – for example a "European Master's" – indeed exists.

In the case of double degrees and joint degrees, responsibility for quality assurance lies with those countries in which the cooperating universities are based. Consequently, the Accreditation Council, in its resolution on the accreditation of degree programmes with double degrees and joint degrees,¹⁵ recommends that recognition of the diversity of approaches in the participating countries must serve as the guiding principle. Particular guidelines on the accreditation of such programmes need to be drawn up under consideration of international developments and, possibly, as part of the process of revising the standards and criteria of the Accreditation Council. However, it must be guaranteed that an adequate quality assurance system run in accordance with national arrangements is carried out in the country in question. Further, the Accreditation Council recommends agencies to use the results of quality reviews carried out in the other participating countries when carrying out their accreditations and to use a process that has been agreed together with foreign agencies. To be able to reduce the workload and cost of the process in the medium term, the Accreditation Council will continue to work within the existing European networks towards achieving the mutual recognition of accreditation decisions.

¹⁴ Statement by the 269th session of the KMK Universities Committee of 22 November 1991

¹⁵ cf. Accreditation Council resolution "Akkreditierung von Studiengängen mit Doppeldiplomabschlüssen und joint degrees" of 9 December 2004

2. Responsibilities of the Accreditation Council – Work and Results

2.1 Accreditation and reaccreditation of German agencies

The Accreditation Council bears overall responsibility for the full working order of the decentral accreditation system in Germany. Consequently, the core tasks of the Accreditation Council include the fixed-term (time-limited) accreditation or reaccreditation of agencies through which they gain permission to accredit degree programmes. In order to continually follow and accompany the work performed by the agencies and to monitor their task fulfilment, the Accreditation Council has in each case nominated a rapporteur from among its members. This rapporteur also has lead responsibility for the execution of the reaccreditation process. All in all, this practice was able to prove itself, not least because the concentration of expertise in the hand of the respective rapporteurs who simultaneously acted as advisers to the agencies on the application processes raised the efficiency of the accreditations.

In the period under review, the Accreditation Council reaccredited the Accreditation Agency for Study Programmes in Special Education, Care, Health Sciences and Social Work (AHPGS)¹⁶ on 7 October 2004 with its accreditation to run until 6 October 2009. This means that six agencies in total were entitled in the period under review to award the Seal of the Accreditation Agency¹⁷ to degree programmes for a fixed term.¹⁸

2.2 Accreditation and reaccreditation of foreign agencies

The increasing networking of quality assurance taking place in the wake of the Bologna Process and the growing significance of the mutual recognition of academic degrees and quality assurance methods in the international context increasingly shift the centre of interest to the question of to what extent an opening of the German accreditation system for foreign accreditation bodies should be made possible. In this respect, the European Commission also, in its latest initiative in October 2004, called for closer coordination of European cooperation in the field of quality assurance.¹⁹ An expansion of the circle of agencies that could be considered for accreditation would additionally have a positive effect on managing the ever growing number of applications in Germany. In view of this, the Accreditation Council has

¹⁶ Akkreditierungsagentur für Studiengänge im Bereich Heilpädagogik, Pflege, Gesundheit und soziale Arbeit e.V. (AHPGS)

¹⁷ Siegel des Akkreditierungsrates

¹⁸ Detailed information on the individual accreditation agencies can be found on the Accreditation Council website at: www.akkreditierungsrat.de

¹⁹ cf. Commission of the European Communities: Proposal for a Recommendation of the Council and of the European Parliament on further European cooperation in quality assurance in higher education, Brussels, 12 October 2004

been commissioned by the Länder, under consideration of developments in Europe, to define standards for the recognition of accreditations by foreign bodies.²⁰

In contrast to the idea of drawing up a positive list of those agencies that can be considered for accreditation in Germany for medium term use,²¹ the Accreditation Council advocates the equal treatment of German and foreign accreditation agencies. After complementing the standards which the Accreditation Council set at the time as a requirement for the accreditation of agencies,²² foreign agencies will be able in the future to have themselves accredited by the Accreditation Council. Consequently, German universities will, in the future, be free to choose to have their degree programmes accredited by German or foreign agencies as long as the chosen agency has already been accredited by the Accreditation Council and so is entitled to award the Seal of the Accreditation Council.

Several foreign agencies – such as the Association to Advance Collegiate Schools of Business (AACSB) – have already expressed their interest in respect of an accreditation by the Accreditation Council.

2.3 Activities of the Accreditation Council: Meetings – Workgroups – Discussions

In the period under review, the Accreditation Council convened for five meetings, namely on 1 and 2 April in Dresden, on 9 June in Bonn, on 26 August in Hamburg, on 7 October in Bonn and on 9 December in Bonn. At these meetings the Accreditation Council addressed current topics and questions of accreditation and the quality assurance system as well as the latest developments in the German and European higher education systems. It adopted resolutions on the continuing development of the system, discussed the results produced by the Accreditation Council workgroups and the reports submitted by the rapporteurs, and held talks with experts from home and abroad. Besides the meetings of the Accreditation Council, the forum of so-called roundtable talks ensures that the required information exchange takes place between the Accreditation Council and the agencies. The regular roundtable talks on current questions and problems of accreditation serve to prepare Accreditation Council resolutions and to discuss possible solutions together at an early stage and an informal level in order to avoid unnecessary inefficiencies. This is why after the first reading in the Accredita-

²⁰ cf. KMK resolution "Eckpunkte für die Weiterentwicklung der Akkreditierung in Deutschland" of 15 October 2004, sub-section 5

²¹ cf. KMK resolution "Künftige Entwicklung der länder- und hochschulübergreifenden Qualitätssicherung in Deutschland" of 1 March 2002, sub-section 3.5., respectively Commission of the European Communities: Proposal for a Recommendation of the Council and of the European Parliament on further European cooperation in quality assurance in higher education, Brussels, 12 October 2004, sub-section C

²² cf. Accreditation Council resolution "Akkreditierung von Akkreditierungsagenturen und Akkreditierung von Studiengängen mit den Abschlüssen Bachelor/Bakkalaureus und Master/Magister. Mindeststandards und Kriterien" of 30 November 1999 as amended on 17 December 1999

tion Council, resolution motions are regularly forwarded to the agencies for a statement on their position before they are submitted to the Accreditation Council for final decision. To discuss – not least the resolution motions of the Accreditation Council – the agencies and the Accreditation Council met for roundtable talks on several occasions in 2004, namely on 2 April in Dresden, on 26 August in Hamburg and on 8 December in Bonn.

To prepare individual resolutions or to discuss individual aspects and questions of accreditation in greater detail, the Accreditation Council established various workgroups (AG) which are not only made up of Accreditation Council members but also of representatives of the agencies and external experts.

- The AG Standards and the AG BA/MA met on 9 June and 25 August 2004 for joint sessions and addressed questions relating to the differentiation and aspired degree of detail and continuing development of criteria for the accreditation of degree programmes. Another activity field for the workgroups emerged in the question of integrating and crediting study internships within the scope of the ECTS. The AG Standards and the AG BA/MA aim to draw up the key accreditation points to establish the independence of peers in terms of the academic-contentual review of degree programmes and to present a problem-oriented explanation of the individual quality dimensions described by the criteria.
- The AG International Affairs convened for sessions on 12 July, 7 October and 7 December 2004 to coordinate the position of the German members in the international quality assurance networks, such as the European Consortium for Accreditation in Higher Education (ECA) or the European Association for Quality Assurance (ENQA), above all in view of preparations for the coming Bergen Conference 2005. At the meeting of 7 October, consultations were held together with the German ENQA members on the European Commission paper on greater European cooperation in quality assurance in higher education and on the further procedure and role of the ENQA at the Bergen Conference.
- The AG Continuing Training met on 23 January 2004 to discuss the criteria for (post-)graduate degree programmes and questions of admissions requirements.

Communication with the faculty and departmental conferences, with higher education policy bodies, disciplinary societies, associations, and science and research organisations represents an important prerequisite for the successful work of the Accreditation Council. In view

of this fact, the chairs of the faculty and departmental conferences were invited to a discussion with the Accreditation Council during its 37th session. Furthermore, the Chairman and one member of the Accreditation Council held talks with representatives of the faculty and departmental conferences during which they discussed not only the different perspectives regarding the design and organisation of quality assurance in Germany but also the opportunities available for cooperation between Accreditation Council, agencies, faculty and departmental conferences.

The process to determine whether FH Master's programmes qualify graduates for entry into higher civil/public service positions was the subject of a survey carried out among the agencies by the Accreditation Council. After completion of the survey, a summary of the current results was discussed at a meeting between the Chairman of the Accreditation Council and representatives of the Conference of Ministers of the Interior (IMK)²³ that came to a generally positive conclusion. Since the determination processes had in most cases proceeded smoothly with the participation of representatives from the highest administrative bodies respectively those responsible for career path design, a number of Länder ministries of the interior are already considering whether the process of determining whether FH Master's programmes qualify graduates for higher civil service positions cannot, in the future, perhaps take place without representatives from the highest administrative bodies necessarily having to take part in the accreditation.

In order to introduce the experience and expertise of the Accreditation Council into the consultations on the continuing development of the accreditation system in Germany, a meeting was held in September 2004 between the Deputy Ministers AG "Continuing Development of the System of Accreditation", representatives of the Accreditation Council and representatives of the German Rectors' Conference²⁴ (HRK).²⁵ December 2004 saw the Chairman of the Accreditation Council meet for talks with the Executive Board of the KMK to discuss the status of the process to establish a foundation for the accreditation of degree programmes in Germany and on how the agreement with the agencies should be structured.

The 39th session of the Accreditation Council adopted new rules of procedure. The changes to the rules of procedure related essentially to changes in the representation rules for representatives of the Länder.

²³ Innenministerkonferenz

²⁴ Hochschulrektorenkonferenz

²⁵ For further information on the continuing development of the accreditation system, see Chapter 3.

The accreditation of degree programmes through the award of the Seal of the Accreditation Council is currently performed by six agencies that have been accredited by the Accreditation Council. In the period under review, the agencies accredited a total of around 350 degree programmes, so the Accreditation Council statistics for the end of 2004 showed a total of more than 700 accredited degree programmes.²⁶ Of these, more than 600 degree programmes received a conditional accreditation, while just under 30 degree programmes were refused accreditation. Despite the continuing discrepancy between the number of Bachelor's and Master's programmes offered in total and the number of programmes actually accredited, it can be seen that the difference is not only falling overall, but also increasingly quickly from year to year. And so the fact that around 350 degree programmes were accredited in 2004 alone means that just as many programmes were accredited in that one year as in the first 3½ years since the introduction of accreditation in Germany.

3. The Continuing Development of the Accreditation System in Germany

3.1 Starting point and structural requirements

The system of accreditation in Germany which the KMK established in cooperation with HRK as institutional sponsors has fundamentally proven itself. However, with the constantly advancing Bologna Process at European level and the dynamic restructuring process within German higher education, the accreditation system found itself facing challenges which in some cases made it necessary to advance and reorient the system.²⁷ Pointing to the work of a group of experts established in 2001 to evaluate the Accreditation Council, the Accreditation Council had earlier called for a legal basis to be provided for the Council and for the relationship between the Council and the agencies to be clearly defined. The discrepancy between the requirements for the accreditation system to meet, and so, above all, for the Accreditation Council to meet, on the one hand, and, on the other, the lack of a legal basis for the system all too often in the past led to tension and inefficiency. And so the Accreditation Council repeatedly found itself compelled to counteract the "emancipation attempts" of the agencies that increasingly sought to derive their authority and powers from the organisations and associations that ran and funded them.²⁸ However, since the Accreditation Council is, solely on the basis of its responsibility to define minimum standards for accreditation processes and decisions, to supervise task fulfilment by the agencies and to duly represent Ger-

²⁶ The latest figures on the status of accreditation in Germany can be found on the Accreditation website: www.akkreditierungsrat.de

²⁷ cf. Accreditation Council: Activity Report 2003, Bonn 2004, p. 17.

²⁸ cf. Erichsen, Hans-Uwe: Grundlagen, Zielsetzungen, gegenwärtiger Stand und Zukunft des Akkreditierungswesens in Deutschland, in: Benz, Winfried; Kohler, Jürgen; Landfried, Klaus (eds.): Handbuch Qualität in Studium und Lehre, p. 18f.

man interests in international networks of quality assurance and accreditation bodies,²⁹ generally responsible for the accreditation system in Germany, the Accreditation Council also had to be given the necessary competences and powers with which to perform this function and a clear separation and a more precise definition of the areas of responsibility of the Council and of the agencies had to be set.

It was as early as in 2003 that the Chairman of the Accreditation Council held a series of talks with its institutional sponsors, KMK and HRK, and with the Länder to work towards the elaboration of a legal constitution for the accreditation system. In the following year, the reforms urgently called for by the Accreditation Council were taken by the KMK as occasion to appoint a Deputy Ministers Workgroup on the Continuing Development of Accreditation in Germany. The workgroup chaired by Secretary of State Krebs (NRW) was commissioned with drawing up, in agreement with the Accreditation Council and the HRK, key points for the continuing development of accreditation in Germany. In talks held with the Deputy Ministers Workgroup, the Accreditation Council made it clear that the definition of cross-disciplinary standards of accreditation and of principles for the organisational structure and processes of the agencies could only and exclusively lie in the sphere of responsibility of the Accreditation Council. In the international field, the Accreditation Council supported cooperative approaches at working level between the agencies and the Accreditation Council, although the Council also argued that formal representation of the German accreditation system abroad had, in the future, to continue to be the sole preserve of the Accreditation Council, since collaboration in international networks called for a uniform external representation.

3.2 Key points for the continuing development of accreditation in Germany

Following the final meeting between the Deputy Ministers Workgroup Continuing Development of the Accreditation System, the Accreditation Council and the HRK on 1 September 2004, the KMK adopted key points for the continuing development of accreditation in Germany (referred to hereinafter as "Key Points") on 15 October 2004.³⁰ The Key Points emphasise the central position of the Accreditation Council in the system of cross-Länder and cross-university accreditation and underline the Council's hinge function at the interface between the structural responsibility of the Länder and the operational responsibility of the agencies. Since the Key Points call firstly for the establishment of a public foundation with its own legal personality and secondly for cooperation between the Accreditation Council and the agencies to be governed by agreements to be concluded by the respective parties, the

²⁹ cf. KMK resolution "Statut für ein länder- und hochschulübergreifendes Akkreditierungsverfahren" of 24 May 2002 as amended on 15 October 2004, sub-section 4

³⁰ cf. KMK resolution "Eckpunkte für die Weiterentwicklung der Akkreditierung in Deutschland" of 15 October 2004

Accreditation Council considers the efforts it undertook to place the accreditation system on a secure legal basis and to improve cooperation between the Accreditation Council and the agencies by defining the areas of responsibility more precisely to have been accepted.

3.2.1 The future legal form of the Accreditation Council

The legal form of a public foundation secures the independence of the Accreditation Council and guarantees requisite autonomy in the performance of the tasks it has been entrusted with. The Accreditation Council will become the central body of a "Foundation for the Accreditation of Degree Programmes in Germany",³¹ a public foundation established under the law of North Rhine-Westphalia and with its registered office in Bonn. That the establishment of a foundation under the law of one of the Länder – in this case North Rhine-Westphalia – and that the 16 Länder subsequently within the scope of an administrative agreement will transfer an essential part of their responsibility in the field of quality assurance to this foundation means that the process has been substantially simplified. By contrast, the conclusion of a cross-Länder agreement would have resulted in a much higher work- and time load and so would have unnecessarily delayed the legal grounding of the accreditation system. In accordance with Article 77 of the Constitution of North Rhine-Westphalia, § 21 together with § 18, a state law is required for the establishment of a public foundation. The draft bill for such a law³² was drawn up by the Ministry of Science and Research of North Rhine-Westphalia, was discussed at the meeting of the Accreditation Council held in Bonn on 7 October 2004, and was approved at the 307th meeting of the KMK on 15 October 2004. After a first reading on 25 November 2004, the law was adopted by the Parliament of North Rhine-Westphalia on 26 February 2005. With its enactment, the previous basis for the work of the Accreditation Council, the Statute on a Cross-Länder and Cross-University Accreditation Process,³³ was duly terminated and replaced by the agreement to found the "Foundation for the Accreditation of Degree Programmes in Germany".³⁴

The agreement under which the Länder transfer the performance of their duties to the foundation was adopted at the 308th meeting of the KMK held on 16 December 2004.³⁵ In accordance with the agreement, the responsibilities of the Accreditation Council transfer to the "Foundation: Accreditation of Degree Programmes in Germany" on the day on which the

³¹ Stiftung zur Akkreditierung von Studiengängen in Deutschland

³² Draft bill of the NRW Parliament: "Gesetz zur Einrichtung einer Stiftung 'Stiftung zur Akkreditierung von Studiengängen in Deutschland'", Publication 13/6182, 8 November 2004

³³ KMK resolution "Statut für ein länder- und hochschulübergreifendes Akkreditierungsverfahren" of 24 May 2002 as amended on 15.10.2004

³⁴ cf. KMK resolution "Vereinbarung zur Stiftung 'Stiftung: Akkreditierung von Studiengängen in Deutschland'" of 16 December 2004, sub-section 1

³⁵ *ibid.*

foundation law was enacted.³⁶ At the same time, the Länder transfer the performance of their responsibilities relating to the execution of the common structural guidelines in accordance with § 9 Section 2 of the Higher Education Act (HRG) to the foundation for those study and degree programmes defined by resolution of the KMK.

The establishment of a foundation makes the addition of further decision-making bodies necessary. Besides the Accreditation Council as a strategic body, an Executive Board to run the everyday business and a Foundation Council to supervise the legality and economic viability of foundation activities will be added in the future. HRK and KMK will work together on the Foundation Council in their capacity as the institutional sponsors of the foundation, whereby the Länder in their capacity as financial sponsors will be accorded a special position on discussion to approve the economic and financial plans. The Executive Board will be made up of the Chairman of the Accreditation Council, the Vice-Chairman of the Accreditation Council, and the Managing Director of the Foundation.

The Accreditation Council will, as before, be made up of four university representatives, four Länder representatives, five representatives from the field of professional practice – including one representative from the Länder ministries responsible for civil service employment and payment law –, two students and two foreign representatives with accreditation experience. In order to interlink the work of the Accreditation Council and the agencies even closer in the future, a representative elected by the agencies will, in the future, sit on the Accreditation Council in a consultative capacity.³⁷

3.2.2 Responsibilities of the Accreditation Council

The responsibilities of the Accreditation Council listed in the Key Points essentially follow in line with the activity catalogue contained in the Statute.³⁸ The core responsibilities of the Accreditation Council will continue, in the future, to be the accreditation of agencies, the issue of guidelines for decisions on and for the execution of degree programme accreditations, the continuous supervision of accreditation activities, the reaccreditation of agencies in a structured and transparent process as well as compliance of the accreditation processes with government guidelines. To this end, the Accreditation Council will in the future compile the

³⁶ *ibid.*, sub-section 1

³⁷ *ibid.*, sub-section 2

³⁸ KMK resolution "Statut für ein länder- und hochschulübergreifendes Akkreditierungsverfahren" of 24 May 2002 as amended on 15 October 2004, sub-section 4

common Länder and Land-specific structural guidelines into a set of binding guidelines for the agencies.³⁹

Furthermore, the Accreditation Council is responsible for ensuring that the gender mainstreaming approach is considered and implemented in the accreditation system. Moreover, the Accreditation Council must define the minimum requirements or standards for the accreditation processes, including the prerequisites and limitations of "combined" accreditations, must, under consideration of developments in Europe, set the conditions for the recognition of accreditations by foreign bodies and must regularly inform the Länder of developments in converting the degree system to a two-cycle degree system and quality development within the scope of accreditation. This reporting system aims to enable the Länder, on the basis of the Accreditation Council's experience, to review the structural guidelines and, possibly, to make the necessary corrections.

The Accreditation Council has a central role to play in the external presentation and representation of the German accreditation system. It represents and explains the German system externally and takes up ideas and demands from the field of international cooperation in order, thus, to contribute to the continuing development of the German accreditation system.

3.2.3 How the Accreditation Council and the agencies work together

The legal basis provided for the accreditation system opens up opportunities for the Accreditation Council for the first time to conclude legally-binding agreements with the agencies in which the rights, duties and responsibilities of the agencies and of the Accreditation Council are governed within the accreditation system. This places the way in which the Accreditation Council and the agencies work together on a reliable and, for both sides, calculable basis. Furthermore, the Accreditation Council is, on the basis of binding guidelines whose observance can be supervised and demanded, placed in a position that enables it to perform its controlling function to the extent necessary for it to meet its obligations. To do this, the Accreditation Council must be empowered to impose appropriate sanctions in the case of contraventions against the agreement by the agencies. As before, sanctions should involve the withdrawal of accreditation, while, in the future, it should also include the immediate withdrawal of the right to award the Quality Seal, contractual penalties or the prompt annulment of an accreditation issued by the agency in question.

³⁹ cf. KMK resolution "Eckpunkte für die Weiterentwicklung der Akkreditierung in Deutschland" of 15 October 2004, sub-section 5

In accordance with sub-section 6.2 of the Key Points, agreements should cover the following tasks and responsibilities:

- the agencies' commitment to consider the common Länder and Land-specific structural guidelines when carrying out accreditations,
- the agencies' obligation to observe the minimum requirements specified by the Accreditation Council for accreditations,
- the agencies' obligation to report to the Accreditation Council,
- the Accreditation Council's obligation to provide the agencies with regular information,
- the agencies' obligation to publish the accreditation reports and the names of the reviewers involved in the accreditation,
- the prerequisites for the reaccreditation of agencies,
- the inclusion of the agencies in the work of the Accreditation Council, e.g. by hearing agencies on central questions relating to the design and organisation of accreditation processes,
- the performance of international responsibilities by the Accreditation Council and the agencies in accordance with the respective task,
- the agencies' obligation to adhere to the principle of fair and good practice in respect of the Seal of the Accreditation Council, and
- sanctions for failure to comply with the provisions of the agreement.

To guarantee mutual communication and so experience exchange between the Accreditation Council and the agencies, roundtable talks have already been held at regular intervals in the past between the Council and the agencies. Over and above this, the Accreditation Council has nominated rapporteurs from among its members who as part of a monitoring process take part in the accreditation processes or commission meetings of the agencies. This practice should be complemented in the future by agencies being able to attend sessions of the Accreditation Council as observers. To this end, a representative elected by the agencies will sit on the Accreditation Council in a consultative capacity.

4. Representation of German Interests in International Networks

The Accreditation Council sees its mission as representing the German accreditation system in international quality assurance networks and accreditation bodies. One of the central goals of this networking lies in facilitating the mutual recognition of academic degrees and in improving the transparency of degree programmes, including in European and international contexts. In particular in view of the preparations for the conference of European ministers responsible for higher education in Bergen in 2005, the quality assurance bodies and their membership of international networks and federations have an important role to play. And so the Accreditation Council, together with the German agencies and other bodies from European countries with comparable quality assurance systems, has joined forces within the European Consortium for Accreditation in Higher Education (ECA) to continue and advance the development of accreditation within the European framework. Within the ECA network, the Chairman of the Accreditation Council headed a workgroup responsible for producing a report on the preparations for the Bergen Conference. Not least, this report covered the recognition of accreditation decisions on the basis of a Code of Good Practice, the development of a European qualification framework, criteria for the selection of reviewers for accreditations, and a uniform format for the publication of accreditation findings and results, and the increasing importance of accreditation in respect of the regulation of cross-border trade in educational services.⁴⁰ Besides its commitment within the European Consortium for Accreditation in Higher Education, the Accreditation Council is also a member of the International Network for Quality Assurance Agencies in Higher Education (INQUAAHE), the European Association for Quality Assurance in Higher Education (ENQA), the Joint Quality Initiative (JQI), and of the trinational network of accreditation bodies from Germany (D), Austria (A) and Switzerland (CH): D-A-CH. The Accreditation Council is represented on the ENQA Board through one of its international members.

In the period under review the Accreditation Council concluded the following cooperation agreements with foreign accreditation bodies:

- **Code of Good Practice, D-A-CH**, signed by the German Accreditation Council, by the Center of Accreditation and Quality Assurance of the Swiss Universities (OAR),⁴¹ by the Fachhochschule Council Austria (FHR),⁴² by the Austrian Accreditation Council,⁴³ by the Accreditation Agency for Study Programmes in Special Education, Care, Health

⁴⁰ The report can be downloaded from: <http://ecaconsortium.net>.

⁴¹ Organ für Akkreditierung und Qualitätssicherung der Schweizerischen Hochschulen (OAQ)

⁴² Fachhochschulrat (FHR)

Sciences and Social Work (AHPGS), by the Agency for Quality Assurance through the Accreditation of Study Programmes (AQAS),⁴⁴ by the Foundation for International Business Administration Accreditation (FIBAA) and by the Central Evaluation and Accreditation Agency Hannover (ZEvA).⁴⁵

- **Make-up of a Team of Experts for Accreditations, D-A-CH**, signed by the German Accreditation Council, by the Center of Accreditation and Quality Assurance of the Swiss Universities (OAQ), by the Fachhochschule Council Austria (FHR), by the Austrian Accreditation Council, by the Accreditation Agency for Study Programmes in Special Education, Care, Health Sciences and Social Work (AHPGS), by the Agency for Quality Assurance through the Accreditation of Study Programmes (AQAS), by the Foundation for International Business Administration Accreditation (FIBAA) and by the Central Evaluation and Accreditation Agency Hannover (ZEvA).
- **Code of Good Practice, European Consortium for Accreditation in Higher Education (ECA)**, signed by the Austrian Accreditation Council, by the Agency for Quality Assurance through the Accreditation of Study Programmes (AQAS), by the Austrian Fachhochschule Council (FHR), by the Higher Education and Training Awards Council (HETAC), by the German Accreditation Council, by the Dutch-Flemish Accrediting Organisation (NVAO),⁴⁶ by the Central Evaluation and Accreditation Agency Hannover (ZEvA), by the Norwegian Agency for Quality Assurance in Education (NOKUT),⁴⁷ by the Foundation for International Business Administration Accreditation (FIBAA), by the Spanish National Agency for Quality Assessment and Accreditation (ANECA),⁴⁸ by the Accreditation, Certification and Quality Assurance Institute (ACQUIN),⁴⁹ and by the Center of Accreditation and Quality Assurance of the Swiss Universities (OAQ), Zurich, on 3 December 2004.

The Accreditation Council has repeatedly drawn attention to the fact that quality assurance is essentially and must remain the responsibility of the universities. In view of the Berlin Declaration of 2003, however, in which the signatory states obliged themselves, in their respective areas of jurisdiction, to introduce effective quality assurance systems, the Accreditation Council is also in favour of developing an overarching concept on the obligatory and permanent maintenance of quality assurance in higher education and so of concentrating and optimising the quality assurance measures in Germany that currently still lie in difference areas

⁴³ Österreichischer Akkreditierungsrat

⁴⁴ Agentur für Qualitätssicherung durch Akkreditierung von Studiengängen (AQAS)

⁴⁵ Zentraler Evaluations- und Akkreditierungsagentur Hannover (ZEvA)

⁴⁶ Nederlands/Vlaamse Accreditatie Organisatie (NVAO)

⁴⁷ Nasjonalt organ for kvalitet i utdanningen (NOKUT)

⁴⁸ Agencia Nacional de Evaluación de la Calidad y Acreditación (ANECA)

⁴⁹ Akkreditierungs-, Zertifizierungs- und Qualitätssicherungs-Institut (ACQUIN)

of responsibility. In so doing, it is also especially important that European developments are considered, as seem to be emerging in the latest initiative by the European Commission of October 2004 on European cooperation in quality assurance.

5. Finances

The financial resources for the Akkreditierungsrat and its office are provided as part of the general budget of the KMK Sekretariat. According to the 2004 budget for the KMK Sekretariat, the KMK provided the Akkreditierungsrat with the following sums for the performance of its duties in the year under report; the funds were provided proportionally by the federal states in accordance with the Königsteiner Schlüssel:

Staff costs for 3 positions	160,000 euros
Rent	10,000 euros
Official travel	35,000 euros
Publications	5,000 euros
TOTAL	210,000 euros

No additional income or revenue was produced. The accreditation and reaccreditation of agencies was carried out free of charge.

Work on the Accreditation Council is performed in an honorary capacity. The members of the Accreditation Council receive neither expenses nor attendance fees; only travel expenses are reimbursed.

6. Information and Public Relations Work

The publication of accreditation data and the preparation of information are prerequisites for the creation and assurance of transparency. Due to its comparatively small budget, the Accreditation Council essentially uses electronic media to inform the interested public of the goals and results of its work. The "Central Database of Accredited Degree Programmes"⁵⁰ that can be accessed via the Accreditation Council website offers all those interested in studying and employers an overview of the degree programmes that bear the Quality Seal of the Accreditation Council. The linking of the database with the HRK Higher Education Com-

⁵⁰ Zentrale Datenbank der akkreditierten Studiengänge

pass⁵¹ along with a user-friendly search and inquiry system provide quick and easy access to all the available detailed information. The information collected by the Accreditation Council office is additionally used at regular intervals to generate a statistical report that includes details on the number of accreditations in progress and completed, broken down into various categories such as degree title, subject group, conditional accreditation, state/Land, accreditation agency and number of semesters (time to degree). The statistical report and decision-making documents on the approval of degree programmes leading to Bachelor's and Master's degrees in the individual Länder are continuously updated and published on the Accreditation Council website.

Universities, associations and representatives from international quality assurance bodies continue to have great demand for advice and consultancy. This is why the members of the Accreditation Council as well as the staff from the Accreditation Council Office have presented the German accreditation system and its continuing development at numerous conferences and meetings at home and abroad. The Accreditation Council Office informs German and foreign guests on the work of the Accreditation Council and advises on questions of accreditation in response to inquiries from individuals at universities and ministries as well as from actual and potential students.

⁵¹ HRK Hochschulkompass