



SACHSEN-ANHALT

Ministerium für Wirtschaft,
Wissenschaft und Digitalisierung

Changes in the Framework for Higher Education Accreditation in Germany

Criteria und Procedure

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The Higher Education Accreditation System in Germany

The current situation:

Bachelor- and Masterprogrammes must be accredited in accordance to the resolution of the Standing Conference of the Ministers of Education and Cultural Affairs of the Federal States of Germany (Kultusministerkonferenz).

In Germany the Higher Education Accreditation System is organised in a decentralised manner: the accreditation of study **programmes** and of internal quality assurance **systems** is carried out by **private agencies** which have to determine whether the criteria of quality have been met.

Types of accreditation:

- **Study Programme Accreditation:**
usually valid for a period of between five and seven years.
- **System Accreditation:**
usually valid for a period of between six and eight years.

The Higher Education Accreditation System in Germany

The actors and the procedure of accreditation:

- **The Accreditation Council:**

The Accreditation Council of Germany certifies and controls the private agencies. It is part of the Foundation for the accreditation of study programs in Germany.

- **The Agencies:**

The agencies exercise a significant influence on the accreditation process. A group of experts appointed by the agency judges whether the criteria of accreditation have been met.

- The **legal basis** of accreditation are the guidelines and criteria established by the Accreditation Council, the contracts concluded by the Foundation and the agencies, and the Structures and Guidelines of the Education Ministers' Conference[; consequently, there exists a great number of different regulations concerning the accreditation process].

The Higher Education Accreditation System in Germany

Decisions of Accreditation

- accreditation without conditions
- accreditation with conditions
- Suspension of accreditation
- Rejection of accreditation

An accredited study **programme** receives the **Foundation's quality seal**.

By the accreditation of its internal quality assurance **system**, a Higher Education Institution is allowed to accredit its own study programmes (and to award them with the Foundation's quality seal)

Decision of the Federal Constitutional Court of 17 February 2016

The provisions concerning the accreditation of study programmes of the Land North Rhine-Westphalia are partly incompatible with the Basic Law (Grundgesetz). Some key messages of the decision are binding for all Federal States of Germany.

▪ **Key Messages:**

- In general, there are no constitutional concerns against a compulsory external quality assessment system, carried out by private agencies. This system according to European Standards and Guidelines has proved to be successful.
- Quality assessment is not necessarily limited to scientific and technical criteria, but may also include the organisation of study courses, academic requirements und academic success.

▪ **Nevertheless, the Accreditation System has to be improved in several ways:**

- Legislature must not leave essential decisions on the accreditation of study programmes to private institutions. It must keep under control statutory regulations regarding contents, procedure and organisation of the accreditation system.
- The representatives of science must hold the majority of vote in review groups.

Which consequences follow from the decision of the Federal Constitutional Court ?

The basic decisions of the Court have been specified in a state treaty concluded by the Federal States of Germany („Laender“):

- The state treaty concluded by the Education Ministers' Conference on 8th December 2016 (confirmed by the Prime Ministers' Conference on 16th March 2017 and signed in June 2017) will be ratified by the parliaments of the „Laender“ and transferred into their legal systems by the end of 2017.
- The Standing Conference of the Ministers of Education und Cultural Affairs will work out a „model regulation“ (Musterrechtsverordnung)
- Based upon this „model regulation“ each Federal State will enact implementing rules in its legal system.

New Regulation of the accreditation system

What will be retained ?

- The accreditation system remains a **multistage procedure** which is based upon the principle of **peer-review**; it includes an **on-site visit** to the Higher Education Institution
- Expert Groups of the agency comprise **representatives of all relevant stakeholders** (representatives of Higher Education Institutions, i.e. professors and students, representatives of the professions)
- Each accreditation must be carried out on the basis of reliable, transparent and internationally recognised **criteria**.
- Each Higher Education Institution has the choice between the accreditation of a **of study programme** and the accreditation of its own internal quality assurance system (**system accreditation**)

New Regulation of the accreditation system

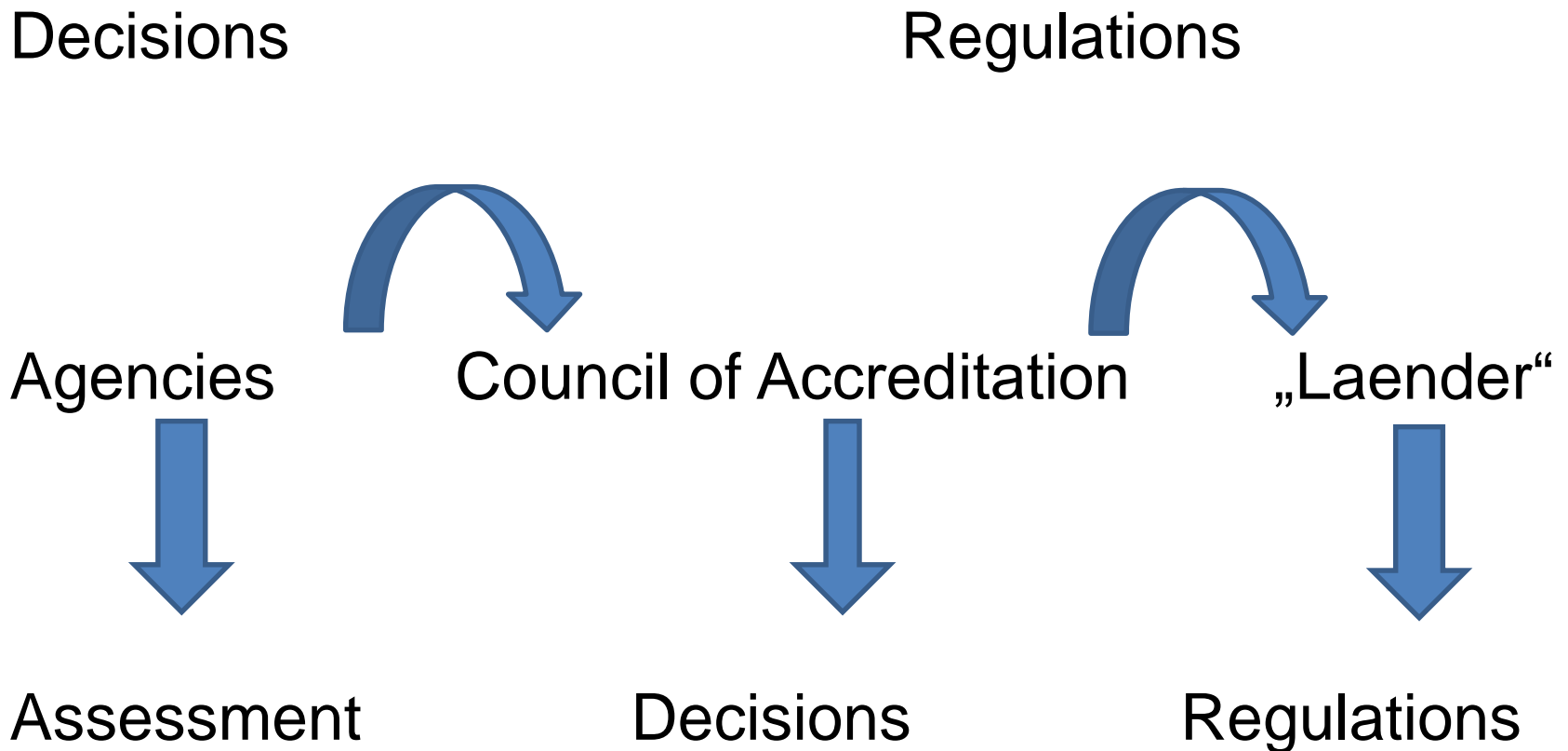
What will be changed ?

- The Council of Accreditation will be strengthened: it will take all final decisions on accreditation.
- The decisions of the Council of Accreditation are subject to judicial review.
- The function of the agencies is limited to the areas of assessment (recommendation).
- Academic representation: Professors must hold the majority of vote within the Council of Accreditation as well as within the agencies.

New Regulation of the accreditation system

- Each accreditation will be based upon two types of criteria: the **form-related criteria** and the **content-related criteria**.
- **Agencies** which are registered in the EQAR are permitted to carry out **assessments**; no more special permission by the Council of Accreditation.
- Each Higher Education Institution may develop alternative accreditation procedures (experimental clause)

Diagram – principles of the new accreditation system



New Regulation of the Accreditation System

Levels of Regulation:

1. State Treaty between the Federal States of Germany
2. A „Model regulation“ of the Education Ministers‘ Conference shall guarantee an equal implementation of the accreditation system in the Federal States of Germany; it will contain details concerning
 - the form-related criteria und the content-related criteria
 - the procedure
3. Based upon the „model regulation“ the Federal States will enact implementing rules in their legal systems.
4. The Council of Accreditation will regulate further details in implementing rules and develop standard schedules to be used by the agencies for the reports.

Timetable of implementation

- The Standing Conference of the Ministers ... (Kultusministerkonferenz) concluded a state treaty on 8 th December 2016.
- The Prime Ministers' Conference confirmed the treaty on 16 th March 2017.
- The Prime Ministers of the Federal States of Germany signed the contract in June 2017.
- The parliaments of the Federal States of Germany will ratify the treaty by the end of 2017.
- The Standing Conference of the Ministers ... is aiming at confirming the „model regulation“ on 7 th December 2017.
- Accreditation Procedures which have been started before the enforcement of the state treaty will be carried out according to former regulations.

Criteria of Accreditation

Form-related Criteria of a study programme:

- The assessment of the form-related criteria will be prepared by the agency
- The assessments will be comprised in the agencies reports („Prüfbericht“)
- The form-related criteria will exclusively be judged within a Study Programme Accreditation
- The agency checks (for example) the specific profile of a study programme, the study period, the access rules, the modularisation and the compliance of a study programme with the ECTS.

Criteria of Accreditation

Content-related criteria:

- Content-related criteria are assessed by expert groups of the agencies.
- Content-related criteria are assessed within study programme accreditations as well as within system accreditations.
- Expert groups will (for example) examine the concepts of the Higher Education Institution in the field of teaching and learning, the objectives of a study programme and the quality standards; within a System Accreditation the quality of the internal quality assurance system of the Higher Education Institution will be assessed.

Alternative Procedures of accreditation (experimental clause)

- Compared with the conventional procedure, this kind of procedure has to develop an alternative approach.
- The alternative procedure must be applied for by the Higher Education Institution.
- Academic representation: Professors of the Higher Education Institution must have a significant influence on the accreditation.
- The alternative procedure is permitted by the Council of Accreditation and the Science Ministry of the „Land“.
- The alternative procedure is carried out for a limited period.
- At the end of the period the alternative procedure will be evaluated by the Council of accreditation.

Implementation of the new procedure

The procedure of accreditation will (hopefully) become more efficient because:

- Implementing regulations of the Council of Accreditation will give guidelines about the form and volume of the agencies' reports and assessments (Gutachten).
- Hearing period for the Higher Education: one month.
- The Council of Accreditation will decide as soon as possible.
- The number of the Council's of Accreditation awarded „accreditations with conditions“ should be as limited as possible.
- **Digitalisation:** The request of the Higher Education Institution, the agencies reports, the decisions of the Council of Accreditation and the publication of its decisions have to be transmitted in digital form.

Periods of Accreditation

- Accreditations always have a time limitation
- The initial Study Programme Accreditation as well as the System Accreditation will be valid for a period of **8 years**
- The period of **8 years** will also be valid for the **re-accreditation** of study programmes
- The period of re-accreditation will follow without interruption the period of the initial accreditation

Development of the costs of accreditation

The financing of the Council of Accreditation



Grants of the Federal States of Germany in 2018/2019 (especially for building up the Council of Accreditation)



Fees of Higher Education Institutions
A mixed system of financing is discussed (mixture of request-fees and flat rates)

Development of the Costs of accreditation

A reliable prediction is very difficult, but it is supposed that

- As of 2019 no financial grants of the Laender will be given.
- It is expected that over a long term the costs of accreditation will gradually fall because
 - The study programme accreditation will - step by step – be partly replaced by the system accreditation.
 - The duration of the initial accreditation and the re-accreditation will be extended up to 8 years.
 - The Council of Accreditation won't have to accredit the agencies any more.
 - The development of costs will regularly be evaluated.
 - The Federal States of Germany have the legal possibility of capping the fees which have to be paid to the agencies.

Outlook

- The Council of Accreditation will take consistent decisions upon the basis of reliable, transparent and nationally and internationally recognised criteria.
- The procedures will become more efficient
- The costs of accreditation procedures will be reduced.
- More legal security and judicial protection in favor of the Higher Education Institutions will be granted.
- The evaluation of quality standards of teaching and learning at Higher Education Institutions in general will lead to reliable information.