

## **Rules of the Accreditation Council for the Accreditation of Agencies**

Resolution of the Accreditation Council of 08.12.2009<sup>1</sup>

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<sup>1</sup> This resolution replaces the following resolutions of the Accreditation Council: "General Rules for Carrying Out Procedures for the Accreditation and Reaccreditation of Agencies" in the version of 31.10.2008, "Criteria for the Accreditation of Agencies" in the version of the 08.10.2007, "Resolutions of the Accreditation Council: Types and Effects" in the version of 29.02.2008.

The Accreditation Council implements procedures for accreditation as an accreditation agency, as per § 2 para. 1 no. 1 of the German Statute on the Establishment of a Foundation “Foundation for the Accreditation of Study Programmes in Germany”, on the application of an organisation. The following general rules and criteria, which also contain the Standards and Guidelines for Quality Assurance in the European Higher Education Area, apply to the implementation:

## **1. Rules of Procedure**

1.1 The Accreditation Council informs the agency making the application about essential contents, procedural steps and criteria. It ensures a complete specification and determines the fees.

1.2 The agency submits an application and a rationale. The rationale contains a self-description of the agency and documents the compliance with the criteria for the accreditation of accreditation agencies. (item. 2) In case of a renewal for accreditation, a progress report about the activity during the accreditation period, which is due to expire, has also to be presented.

1.3 The Accreditation Council appoints an expert group, which ensures the assessment of all areas relevant for the inspection procedure. The expert group as a rule consists of five members: a member of the Accreditation Council as well as representatives of the relevant interest groups. These include particularly the sciences, the students and practitioners from the profession. Two members should be from abroad.

The Accreditation Council observes fairness to the agency. It ensures the impartiality of the experts and for this purpose gives the agency a right to object. The agency does not have a right of proposal or a power of veto.

The Accreditation Council briefs the experts for their activity and the specific accreditation procedure.

1.4 The experts receive support from the head office of the foundation for implementing the procedure.

1.5 The assessment is based on:

- the analysis of the application rationale,
- a progress report about the activity of the agency during the expired accreditation term,

- an on-site visit at the agency, which includes the participation in a meeting of the decision-making committee that is responsible for the final decision on accreditation applications, as well as
- separate discussions with the management of the agency, the employees, experts and if necessary representatives of Higher Education Institutions, which have already gone through the accreditation procedures of the agency,
- in case of a first accreditation, the participation in an on-site visit of the agency for a quality assurance procedure and
- if necessary, taking into consideration evaluations by the Accreditation Council since the last accreditation.

1.6 If the expert group realises, in the course of the assessment, that at present there is obviously no prospect of a successful conclusion of the procedure, it can recommend the suspension of the procedure to the Accreditation Council before completion of the assessment, giving the reasons. The Accreditation Council decides after receiving the comment of the agency.

1.7 Prior to filing the decision, the Accreditation Council can conduct a hearing of the agency for the clarification of open questions.

1.8 Before the resolution is made, the agency receives the expert report without recommendation for the resolution for its comment.

1.9 Subsequent to the procedure the Accreditation Council publishes the decision, the reasons given in the application and the expert report.

1.10 On application of the agency and based on a separate agreement, the Accreditation Council also assesses whether the agency meets the membership criteria of the ENQA and applies the “Guidelines for national reviews of ENQA member agencies” for this. Here too the Accreditation Council informs the agency about essential contents, procedural steps and criteria of the procedure, ensures a complete specification and determines the costs. The results of both assessments are independent of each other and without reciprocal consequences.

## **2. Criteria**

### **2.1 Self-Image and Understanding of the Accreditation Task**

2.1.1 The agency has a publicly documented perception of quality, from which it derives the basis of its accreditation activity. Its activity is geared to the objective of enhancing quality and is based on the Higher Education Institutions' key responsibility for the profile and quality of teaching and learning.

2.1.2 The agency accredits across types of Higher Education Institutions and also across disciplines in the case of admittance for programme accreditations.

### **2.2 Structures and Procedures**

2.2.1 For admittance to programme accreditation and/or for system accreditation, the agency proves binding internal structures and procedures, which ensure the correct and consistent application of the "Rules of the Accreditation Council for the Accreditation of Study Programmes and for System Accreditation" in the current version. Responsibilities of the organs and their personnel are functional and legally regulated.

2.2.2 The agency involves representatives of interest groups (sciences, students and practitioners from the profession) relevant for the execution of the task.

2.2.3 The competence of those involved in the procedures, with regard to all areas relevant for the assessment procedures of programme accreditation or system accreditation, is ensured by appropriate selection procedures and briefing.

2.2.4 If the agency engages other organisations for the implementation of parts of the procedures, the correct implementation must be ensured by reliable rules and procedures.

### **2.3 Independence**

2.3.1 The agency has a separate legal entity.

2.3.2 It does not work on a profit-oriented basis and carries out the accreditation procedures on full cost basis.

2.3.3 The agency ensures the freedom from instructions of the organs in individual cases and the independence and impartiality of the persons working for it.

## **2.4 Facilities**

The agency is sustainably and adequately equipped for its function in all required functional areas in respect of personnel and material resources.

## **2.5 Internal Quality Management**

The agency continuously uses a formalised internal quality management system, which is suitable for assessing the effectiveness of the internal control processes and ensures the safeguarding and continuous improvement of the quality of the activity. It is publicly accessible and covers systematic internal and external feedback processes.

## **2.6 Internal Complaints Procedure**

The agency has a publicly accessible, formalised internal procedure for reviewing accreditation decisions on application of a Higher Education Institution.

## **2.7 Reporting**

The agency describes its procedures and appraisal criteria adequately in detail and publishes them. It publishes the names of the experts, the expert reports<sup>2</sup> and the decisions of the accreditation procedures carried out by it.

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<sup>2</sup> The publication of the expert reports is mandatory in procedures, which will be initiated after 01.06.2010.

### **3. Decision Rules**

#### **3.1 Possible Decision Contents and their Prerequisites**

3.1.1 The accreditation decision<sup>3</sup> includes, according to the application made, the right to implement procedures of programme accreditation and/or system accreditation.

3.1.2 Accreditation must be granted to an agency, if the quality requirements are fulfilled as per the regulations of the Accreditation Council. The accreditation becomes effective if an agreement has come about between the Accreditation Council and the accreditation agency in accordance with foundation law.

3.1.3 Accreditation should be granted conditionally, if there are defects, which can most likely be rectified within six months.

3.1.4 Accreditation should be denied, if there are defects, which most likely can not be rectified within six months. If it can be expected that the applying agency can rectify the shortcomings, then the accreditation procedure can be suspended, after hearing the agency, for a period to be set by the Accreditation Council, but for not more than twelve months.

#### **3.2 Time Limitation**

3.2.1 The accreditation has to be limited to five years. The period starts with the day when the accreditation notification becomes effective and is extended to the end of the last quarter.

3.2.2 If an accreditation is granted conditionally, the accreditation period can be reduced.

#### **3.3 Expiry of the Accreditation Term**

3.3.1 If an application for the accreditation of the agency is submitted to the Accreditation Council before the expiry of the accreditation term, then the latter can accredit the agency temporarily for at most nine months, unless there is obviously no chance of a successful conclusion of the procedure. In the case of renewed accreditation, the duration of the temporary accreditation of the agency has to be included in the operative period as per item 3.2. In case of denial or suspension during the temporary accreditation, it lasts until the end of the period fixed.

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<sup>3</sup> The provisions of this resolution applying to accreditations apply also to first accreditations, if the procedure of the first accreditation is not regulated differently.

3.3.2 If the accreditation ends without there being a case to which item 3.2.1 applies, then the agency immediately terminates the accreditation procedures, which have not yet been completed by an accreditation notification and it notifies the Accreditation Council without being asked. If study programmes are in a procedure for renewed programme or system accreditation, they are regarded as accredited during the accreditation procedure applied for to another agency, if the Higher Education Institution immediately makes an application for accreditation to another agency.

### **3.4 Suspension of the Procedure**

3.4.1 The Accreditation Council specifies the reasons in the decision on the suspension. It decides on the procedural steps after the suspension.

3.4.2 It is the responsibility of the agency to apply to the Accreditation Council for the resumption of the procedure within the period fixed.

3.4.3 If the application for resumption is not made within the period fixed, then the Accreditation Council declines the accreditation by notification.

### **3.5 Conditions**

3.5.1 In case of accreditation with conditions, the contents of the conditions and the respite must be indicated clearly, within which the fulfilment of the conditions has to be proved to the Accreditation Council.

3.5.2 If the fulfilment of the conditions has been proved it is confirmed by notification of the Accreditation Council to the agency.

3.5.3 If the agency does not prove the fulfilment of the conditions, the Accreditation Council revokes the accreditation of the agency with immediate effect or with effect after expiry of an adequate period of time set by the Accreditation Council in the revocation notification. In well-founded cases, the Accreditation Council can grant a reasonable additional respite.

### **3.6 Coming into Effect of Decisions**

Decisions of the Accreditation Council become effective with the announcement of the written notification.

### **3.7 Appeals**

The agency can appeal against decisions of the Accreditation Council to the Appeals Commission of the Accreditation Council within a month of their coming into effect. In case of revocation of an accreditation or rejection of a reaccreditation, the Accreditation Council decides as per § 7 para. 2 of the constitution of the foundation after consultation with the foundation council. However, the possibility of taking legal action remains untouched.