

**Decision on the Application of the Agentur für Qualitätssicherung durch Akkreditierung von Studiengängen e.V. (AQAS, Agency for Quality Assurance Through the Accreditation of Study Programmes, a non-profit organisation) for Re-Accreditation)**

(Decision of the Accreditation Council dated 15 February 2007)

I.

The Foundation for the Accreditation of Study Programmes in Germany (Stiftung zur Akkreditierung von Studiengängen in Deutschland), hereinafter referred to as Foundation, herewith accredits the “Agentur für Qualitätssicherung durch Akkreditierung von Studiengängen e.V.” (AQAS) pursuant to § 2 Article 1 No. 1 of the “Law establishing a foundation ‘Foundation for the Accreditation of Study Courses in Germany’” based on the stipulations of the following provisions and herewith grants the authority to accredit study programmes by awarding the seal of the foundation.

II.

The decision pursuant to above Article I shall become effective as of March 15, 2007.

III.

The accreditation and authorisation pursuant to above Article I shall be granted for a term of five years; subject to revocation pursuant to subsequent Article V. Pursuant to § 1 Article 1 Sentence 2 of the decision “Decisions of the Accreditation Council: Types and Effects” dated 12/15/2005 said accreditation shall expire on March 14, 2012. In the event that ENQA should decide by 12/31/2009 that based on general European standards an accreditation with a term of more than five years can be permitted, the accreditation term shall subsequently be extended to the maximum term permitted under general European standards, however, the extension term shall not exceed three additional years.

IV.

The accreditation council has determined that AQAS does not meet some of the quality requirements; pursuant to § 1 Article 3 of the decision “Decisions of the accreditation council: Types and Effects” dated 12/15/2005, these requirements are however not relevant. Consequently, accreditation is granted subject to compliance with the following conditions.

**Condition 1**

By 30 October 2007 AQAS shall document that it has made a binding decision on understanding the accreditation task and the principles of the procedure.\*

**Condition 2**

By 30 October 2007 AQAS shall document that it has made a binding decision on the tasks of the expert committees and their integration into the accreditation proceedings. If the function of a mentor is to be maintained as a supplementary position of the accreditation council, the responsibilities of said function shall be documented bindingly by 30 October 2007 and shall be clearly separated from the other participants of the proceedings.\*

**Condition 3**

By 30 October 2007 AQAS shall document that it has made a binding decision on the expert nomination process separate from proposal and appointment authorities.\*

**Condition 4**

By 30 October 2007 AQAS shall present an implementation plan for the formalisation of an internal quality management organ to be completed by 31 December 2008, which shall integrate feedback processes and also ensure the analysis and reflection of its own processes. Moreover, a concept for the qualification of experts shall be presented by 30 October 2007 as well.\*

**Condition 5**

By 30 October 2007, AQAS shall present updated process materials, in particular a modified “Manual for Experts”, which implements a verification of the requirements of the National Qualification Framework (Nationaler Qualifikationsrahmen, KMK 2004) as an inte-

gral component of the accreditation process. AQAS shall submit proof of same by 30 October 2007 for instance through the inclusion of this verification item in a standardised structural scheme for the assessment reports.\*

#### **Condition 6**

By 31 December 2007 AQAS shall provide evidence on the criteria-adequate manning of its committees, and in particular its expert committees pursuant to criteria 2.8 and 2.9. By 31 December 2007 it shall submit representation provisions to ensure the presence of at least one representative of each respective interest group at committee meetings.

By 31 December 2007 AQAS shall present a list of the members of all expert groups involved in the accreditation proceedings executed since 1 March 2007, to document the regular participation of students.\*

#### **Condition 7**

By 30 October 2007 AQAS shall verify the existence of an exemplary test criteria list for the experts, which also addresses the existence and expediency of intra-college quality assurance.\*

#### **Condition 8**

By 30 October AQAS shall present a decision on a modified process that allows universities to comment on the assessment report of the group of experts.\*

#### **Condition 9**

By 30 October 2007 AQAS shall verify that the applicable provisions of the accreditation council on the contents of accreditation decisions are being implemented within the organisation. To this end, respective provisions concerning the selection of accreditation decisions shall be stipulated and applied bindingly. Such verification can for instance be provided in the form of meeting minutes excerpts or documented decisions made by the committees.\*

#### **Condition 10**

By 30 October 2007 AQAS shall present a decision on a formalised complaint process for universities.\*

### **Condition 11**

By 30 December 2007 AQAS shall document the criteria for the bundling of study programme accreditation and by 31 December 2007 shall verify the adequacy of the expert group compositions in terms of factual and technical qualification for accreditation processes executed since 1 March 2007.\*

### **Condition 12**

By 30 October 2007 AQAS shall present updated process materials, in particular a modified "Manual for Experts", which contain the concrete criteria for the examination of the following aspects "Studies and Occupation", "Internationalisation", "Competencies Beyond Expertise/Social Competencies".\*

\* condition fulfilled

V.

In the event of AQAS' failure to verify compliance with these conditions within the respective deadlines or if it should be found that such conditions are not being complied with after the respective deadline has expired, the Foundation shall have the right to revoke the accreditation pursuant to § 7 Article 2 of the "Decisions of the Accreditation Council: Types and Effects" dated 15 December 2005.

## **VI. Reasons**

### **General:**

Based on the expert report, the report on the submitted process documentation and the hearing, the accreditation council has arrived at the conclusion, that the "Agentur für Qualitätssicherung durch Akkreditierung von Studiengängen e.V." (AQAS) meets the significant "Criteria for the Accreditation of Accreditation Agencies" dated 15 December 2005.

The accreditation council is under the impression that AQAS strives to ensure smooth communications between universities, experts and agency very diligently and intensively. In conjunction with the submission of initial expert assessments prior to on location visits, AQAS has implemented a new process element that facilitates the preparation of joint

meetings for universities and experts. The branch office representatives are qualified and have a lot of potential.

However, the expert evaluation revealed that AQAS has not implemented the certainty, formalisation and documentation requirements in its processes and proceedings stipulated in the decisions of the accreditation council of 15 December satisfactorily. There would be no other way to explain why accreditation relevant responsibilities have not yet been verifiably allocated to specific committees of the agency, or why the statutory allocation is not being adhered to in practical applications.

The accreditation council did, however, arrive at the conclusion that the agency is well on its way and that the deficiencies identified in some areas can be eliminated within in a maximum time period of 18 months.

#### **Ref. Condition 1:**

Pursuant to criteria 1.1 and 1.2 “Criteria for the Accreditation of Accreditation Agencies” dated 15 December 2005 agencies are expected to apply study programme related quality consciousness, from which the fundamental evaluation approach is derived. The documents presented and statements made by AQAS within the scope of the re-accreditation proceedings a conflict-free understanding of the accreditation responsibilities or the quality of a study programme could not be determined. A respective evaluation approach derived from same had not been explicitly formulated.

#### **Ref. Condition 2:**

The responsibilities and functions of the expert committee within the scope of the accreditation proceedings assigned in the charter are being only partially implemented in practical application, given that the role of the expert committees in relation to the nomination of experts is merely that of a consulting function. Pursuant to criterion 2.6 of the “Criteria for the Accreditation of Accreditation Agencies” dated 15 December 2005 the function of said “mentors” would have to be bindingly defined in the accreditation process to allow the targeted allocation of the accreditation relevant task to the competent organs.

#### **Ref. Condition 3:**

Pursuant to criterion 2.6 of the “Criteria for the Accreditation of Accreditation Agencies” dated 15 December 2005 all steps of the expert nomination procedure must be described and the tasks must be clearly assigned to the competent organs. At AQAS, experts can be nominated for mentor functions at meetings of the Accreditation Commissions, as well

as by individual members of this organ or by the expert committees. In the interest of transparency, the agency must include proposal and appointment authorities in its expert nomination process.

**Ref. Condition 4:**

Criterion 6.1 of the “Criteria for the Accreditation of Accreditation Agencies” dated 15 December 2005 calls for a function-adequate and continuously utilised internal quality management system that in addition to performing an acceptance analysis provides for functional feedback processes and for the training of staff and experts. It was determined that only a rudimentary version of such a systematic quality management is in place, given that the activities of AQAS are limited to regular office meetings, annual conventions and mentor council support for new scientific staff.

**Ref. Condition 5:**

Based on Criterion 9.1 of the “Criteria for the Accreditation of Accreditation Agencies” dated 15 December 2005, the agencies are supposed to verify the substance and stance of university statements in regard to the standards of the national qualification framework. At this time, the materials for process participants at AQAS make only inadequate reference to this issue as a verification matter. Only a few of the expert opinions presented on study programmes included assessments of university statements in regards to the compliance with outcome criteria of the national qualification framework.

**Ref. Condition 6:**

The staffing on the expert committees at AQAS does not meet the requirement of Criterion 2.9 of “Criteria for the Accreditation of Accreditation Agencies” dated 15 December 2005, given that individuals with a professional background and students are currently not being considered for these committees. Moreover, the provisions for the representation of committee members are inadequate, so that the regular participation of the interest groups cannot be warranted for all meetings. Many AQAS accreditation processes do not involve students.

**Ref. Condition 7:**

According to Criterion 14.1 of the “Criteria for the Accreditation of Accreditation Agencies” dated 15 December 2005 the agencies verify the presence and the expedience of intra-university quality assurance.

AQAS frequently accepts teaching event surveys of students as an adequate quality element. Interviews concerning quality elements that go beyond that and that target in particular the goal verification and overall structure of the study programme, are conducted, but not demanded at short notice from the universities by mandate.

**Ref. Condition 8:**

According to Criterion 16.3 of the “Criteria for the Accreditation of Accreditation Agencies” dated 15 December 2005 the university filing an application is given ample opportunity to comment on the primary facts the application is based upon. This is not the case at AQAS. While AQAS does send a point of departure report at the beginning to correct any potential factual errors, but the universities do not receive the assessment report after the on location inspection, giving them the option to comment. Assessments originating from factual errors from the on location inspection can thus become the basis of the accreditation decision.

**Ref. Condition 9:**

According to decision “Decisions of Accreditation Agencies: Types and Effects” dated 15 December 2005 agencies must differentiate between significant and insignificant deficiencies, which will result in a condition if they can be eliminated within a period of 18 months, within their decision-making process. Pursuant to § 1 Article 4, significant defects are such, that lead to substantial disadvantages for students as a result of the definition, regulation or the lack of study objectives, study access, the curriculum, teaching organisation, teaching method, resources or tests.

The agency does not have any binding rules for decisions against the granting of accreditations, the granting of accreditation subject to compliance with conditions and the granting of accreditation without conditions. While the stipulations of the accreditation council are known to the accreditation Council, they cannot be applied consistently due to the lack of defined decision criteria.

**Ref. Condition 10:**

Pursuant to Criteria 19.1, 19.2 and 19.3 of the “Criteria for the Accreditation of Accreditation Agencies” dated 15 December 2005, agencies are required to have in place a formal-

ised process for the verification of accreditation decisions concerning university applications. AQAS has not yet submitted such a process.

**Ref. Condition 11:**

Pursuant to Criterion 20 of the “Criteria for the Accreditation of Accreditation Agencies” dated 15 December 2005 bundling must be conceptionally executed based on factually verified criteria – and possibly be denied upon application. Also, the bundling of the concept must be correctly applied in consequence. To be able to perform said bundling in a factually adequate manner consistently, the existence of pertinent criteria is an absolute necessity. While AQAS is applying the rule that at least one member of the expert team has the pertinent expertise for the subject matter at hand so that each study programme can be addressed in a discussion round, it does not provide any binding criteria for the consolidation of study programmes into packages.

**Ref. Condition 12:**

AQAS does not have any criteria of its own, but bases its accreditation processes on the decision of the accreditation council “Criteria for the Accreditation of Study Programmes” dated 17 July 2006. This is not to be rated as a deficiency, however, in its documents, the agency does not provide any concrete evaluation criteria under items “Studies and Occupation”, “Internationalisation” in evaluation field 10 of the “Criteria for the Accreditation of Accreditation Agencies” as examples of special profile requirements or “beyond specialisation/social competencies”.

**VII. Assessment Based on the Membership Criteria of the European Association for Quality Assurance in Higher Education (ENQA)**

To ensure the international recognition of decisions made by the accreditation council and the accreditation agencies, the accreditation council integrated primarily the *Standards and Guidelines for Quality Assurance in the European Higher Education Area*, as ratified by the competent ministers for university education at the Bergen Conference in May 2005, which was held as a follow-up to the Bologna Conference, into its ratified accreditation criteria of 15 December 2005. The following overview shows where Standards 3.1 through 3.8 of the ESG correspond with the “Criteria for the Accreditation of Accreditation Agencies”:

ESG Standard	Criteria for the Accreditation of Accreditation Agencies (decision dated 15 December 2005, Criteria); “Law establishing a foundation ‘Foundation for the Accreditation of Study Courses in Germany’” (ASG)
3.1	Criteria Part I, Criteria Part II
3.2	ASG § 2 Article; 1.1; Criteria 2.1, 2.2
3.3	ASG § 2 Article 1.1 und § 9; Criteria 1
3.4	Criteria 5
3.5	Criteria 1
3.6	Criteria 2.12, 2.13, 16.2
3.7	Criteria Part II; Criteria 3, 4, 15, 16, 2.9, 18.1
3.8	Criteria 4, 6, 17.2, 19.1, 1.1; ASG § 1 Article1

Based on these the accreditation council has arrived at the conclusion, the AQAS does meet the membership criteria of the ENQA with certain restrictions, which have however already been addressed in conditions within the scope of the re-accreditation process. In particular, the executive summary of the experts’ report on the ENQA membership criteria results in the following assessments:

***ESG Standard 3.1 (Use of external quality assurance procedures for higher education):***

The standards for external quality assurance procedures were implemented in the criteria of the accreditation council for the accreditation of accreditation agencies. As a rule, they are once again addressed in Standards 3.2 through 3.8, with the exception of Standard 2.7 (periodic reviews). The accreditation council, pursuant to its decision of 22 June 2006, requires the agencies to grant accreditations for a limited period of time, so that this decision is not subject to agency discretion. Standard 3.1 has consequently been met.

***ESG Standard 3.2 (Official status):***

Pursuant to § 2 Article 1 No. 1 of the “Law establishing a foundation ‘Foundation for the Accreditation of Study Courses in Germany’” it is the responsibility of the Foundation to accredit and re-accredit accreditation agencies. It grants the temporary authorisation to accredit study programmes through the award of the Foundation’s seal. Consequently, the foundation is the public entity responsible for the recognition of the agency pursuant to Sentence 1 of Standard 3.2. By accrediting the agency, it meets Standard 3.2 Sentence 1.

Pursuant to Criterion 2.1 the agency must be legally identifiable, i.e. it must be a legal entity. The Agentur für Qualitätssicherung durch Akkreditierung von Studiengängen e.V. (AQAS) was established on 25 January 2002 and has since been in existence as a legal entity in the form of a registered association for the common good. Thus, the existence of a legal entity is established. ESG Standard 3.2 has consequently been met.

***ESG Standard 3.3 (Activities):***

Pursuant to § 2 Article 1 No. 1 of the “Law establishing a foundation ‘Foundation for the Accreditation of Study Courses in Germany’” and subsequently Criteria 1.1 through 1.4 only such applicants will be accredited who perform study programme accreditation processes. Since its establishment, AQAS has accredited approx. 650 study programmes across various subjects and types of universities. ESG Standard 3.3 has consequently been met.

***ESG Standard 3.4 (Resources):***

Pursuant to Criteria 5.1 through 5.4 the agency must verify that it has adequate material and staff resources that are sustainable.

The agency’s workforce currently consists of a managing director, seven instructors (three of them have temporary employment contracts), one organisational assistant (temporary contract), one clerk, two secretaries (one of them part-time and temporary) and five student assistants. On 1 December 2006 two additional instructors will come on board on the basis of temporary employment contracts, which expire after two years. The agency states that if at all possible, it will recruit staff members for its business office who have been able to acquire quality assurance experience after passing their university exams. The business office has at its disposal office space totalling approx. 300 square meters in downtown Bonn.

During their on location inspection, the expert group was positively impressed by the qualification and engagement of the instructors. AQAS’ facility and financial resources were verified and found to be adequate.

ESG Standard 3.4 has consequently been met.

***ESG Standard 3.5 (Mission Statement):***

Pursuant to Criteria 1.1 through 1.4 the agency is required to evidence its understanding of the accreditation responsibility.

During the assessment process AQAS formulated its understanding of its accreditation responsibility and of the decision-making criteria on multiple occasions, however, accord-

ing to the experts' assessment, this was not adequately consistent. A mission statement does not exist.

The ethical basic understanding of an agency does comprise a substantiated reflection on its understanding of the constitutional principle of the freedom of research and teaching, i.e. concretely, an understanding how this principle is reflected in its decision-making criteria and in its guidelines for experts. There is a lack of such reflection, given that the quality concept is unclear and changing.

References to the national qualification framework are not evident. ESG Standard 3.5 will be met upon implementation of Condition 1.

***ESG Standard 3.6 (Independence):***

Pursuant to Criterion 2.12 in combination with 2.13 and 16.2 the agency must prove the independence of its organs and their decision-making processes, in particular that of its experts.

The instruction autonomy of the organs can be derived from the provisions on the status of the precise task assignments. The members of the Accreditation Commission must not participate in the decision-making process concerning the accreditation of study programmes at their own university. Criteria 2.12 and 2.13 have been met. The agency requires that its experts provide a non-bias declaration. Moreover, it expressly requires experts to treat all process-related information as confidential. The universities are given the opportunity to file justified objections against expert nominations within the scope of the process. Criterion 16.2 of the accreditation council is largely met. Consequently, ESG Standard 3.6 has been met.

***ESG Standard 3.7 (External quality assurance criteria and processes):***

The study programme accreditation criteria to be applied by the agency are defined in Criteria 7 through 14. Pursuant to Criteria 15.1 in combination with 15.2 and 16.1 the agency is required to provide universities with comprehensive information on its process regulations and criteria. Pursuant to Criterion 16.4 the agency is required to involve all relevant stakeholders in the proceedings, whose results have to be published pursuant to Criterion 4.1. Pursuant to Criterion 18.1 the agency must verify the fulfilment of assignments.

The agency does conduct a comprehensive informative meeting the interested universities, during which the universities are provided with all pertinent information on the execution of an accreditation proceeding. Universities receive all required documents (guidelines for the compilation of an accreditation application, information on committee structure and staffing, the sequence of the accreditation process, a sample contract, best practice examples and a folder of documentation). All documents (with the exception of the

sample contract) are published on the website of the agency. The sample contract contains a precise and complete description of the service and a fee overview. Criteria 15.1 through 15.3 and 16.1 of the accreditation council have been met.

The agency publishes its decisions on its website and provides the information along with the names of the experts to the accreditation council and the university compass. By sending annual reports, the agency also meets its reporting obligations to the accreditation council. Consequently, Criterion 4.1 of the accreditation council has been fulfilled.

As result, ESG Standard 3.7 has been complied with.

***ESG Standard 3.8 (Accountability procedures):***

Pursuant to Criterion 4 the agency is required to make its processes transparent for the universities. Pursuant to Criterion 6 it is also required to verify that an internal quality assurance system is in place and that same is being documented. Criterion 19.1 mandates that the agency sets up a formal appeals process. The regular external assessment is binding upon the agency pursuant to § 2 Article 1 No. 1 of the Statute on the Establishment of a “Foundation for the Accreditation of Study Programmes in Germany” and must be performed every 5 years.

Upon completion of the accreditation process, the applicant university receives a detailed, decision justifying report along with the decision, which is based on a template letter. The agency does meet its reporting obligations to the accreditation council and publishes short reports on accreditations including the names of experts involved. These reports are published in the HRK database. Criterion 4.1 of the accreditation council has been met. The agency could not yet present a formalised complaint process to be used by the universities. Criteria 19.1, 19.2 and 19.3 have not been fulfilled.

During the assessment it was determined that the agency possesses merely a rudimentary form of in-house quality management. Regular internal office meetings and an annual convention are designed to make it possible to share experiences and to move forward the agency’s new strategic orientations. New instructors initially receive external conflict management and moderation training. The smooth transition to instructor assignments thanks to observer status and mentor support is another positive aspect. Besides the orientation phase offered to instructors, only few attempts at staff and organisational development are being made. To date, there is no specific qualification and sensibility promoting program for experts in regard to their responsibilities. Criteria 19.1 through 19.3 of the accreditation council have been met.

ESG Standard 3.8 will be complied with only upon verification of compliance with Conditions 4 and 10.