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Interim review

Two years of the new accreditation system (2018-2019): outlook to the end of 2021

Summary

On entry into force of the Interstate Study Accreditation Treaty[1] on 1 January 2018, the Accreditation Council was given the new task of accrediting and reaccrediting study programmes, higher education institutions' internal quality assurance systems and alternative accreditation procedures.

The first four-year[2] term of office of the members of the Accreditation Council under the new legal framework also began on 1 January 2018. Halfway through the current term of office, the Accreditation Council has compiled this interim review covering three main topics:

- Quantitative analysis of accreditation decisions made in 2018/19, in particular of conditions imposed

- The Accreditation Council's strategic planning: review and outlook 2018-2021

- Guiding principles applied by the Accreditation Council in central discussion areas when making accreditation decisions.

The main findings are as follows:

- The trend reversal sought by the states regarding conditions imposed in accreditations has been achieved, with conditions becoming the exception rather than the rule. The substance of conditions under the new legal framework needs further quantitative and qualitative analysis.

- In its constitutive meeting at the beginning of 2018, the Accreditation Council proposed that instead of drawing up all-encompassing policy and planning papers, it would develop its strategy in a modular fashion based on the reality of administrative practice. The priority has always been on ensuring that the new accreditation system is fit for purpose.

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[1] *Staatsvertrag über die Organisation eines gemeinsamen Akkreditierungssystems zur Qualitätssicherung in Studium und Lehre an deutschen Hochschulen (Studienakkreditierungsstaatsvertrag),* https://www.akkreditierungsrat.de/sites/default/files/downloads/2019/Studienakkreditierungsstaatsvertrag.pdf; English translation: Interstate Treaty on the Organisation of a Joint Accreditation System to Ensure the Quality of Teaching and Learning at German Higher Education Institutions (Interstate study accreditation treaty) https://www.kmk.org/fileadmin/Dateien/veroeffentlichungen_beschluesse/2016/2016_12_08-Studienakkreditierungsstaatsvertrag-englisch.pdf

[2] Student members: two years.

This has been attained so far and the system now faces an 'endurance test' in the winter semester 2020/21 in the form of an unprecedented volume of applications for programme accreditation.

In 2021 – in the run up to the end of the current term of office – the focus will be on reflection, marked by a congress mid-year and the ENQA evaluation towards the year-end.

- The Accreditation Council's decision-making on the criteria of staffing, academic success and the specific profile attributes of dual and extra-occupational study programmes has begun to consolidate, although there is still need for further discussion. A guiding principle cross-cutting all areas is that of allowing higher education institutions maximum latitude in the means of implementation, even where need for further development is identified.

This interim review also serves (with regard to Sections 1 and 3) as a report to the states on quality development in accreditation (article 5 (3) no. 4 of the Interstate Study Accreditation Treaty) and as a thematic analysis within the meaning of ESG Standard 3.4.

The accreditation system under the new legal framework is currently still in a transitional phase. The findings in this review are therefore to be regarded as provisional.

Contents

1 Conditions imposed in accreditations and other data

1.1 Analysis of conditions imposed in accreditations

1.1.1 Conditions as an instrument in accreditation

Conditions imposed in accreditations have played a central role in the practice of accreditation to date. In 2017/18, the Accreditation Council conducted a thematic analysis on the basis of the 'old' accreditation system[3] and found in the sample surveyed that 84% of all accredited study programmes had been accredited subject to conditions.

In the explanatory memorandum to the Specimen Decree[4] with regard to section 24, the states committed to the goal of reducing the numbers of conditions imposed, stating that they "should only come into question in future in exceptional cases". At the same time, conditions cannot be completely abolished. As an accreditation decision is an administrative act, it comes under the North Rhine-Westphalia Administrative Procedure Act[5], section 36 of which permits administrative acts to be made subject to conditions; granting accreditation subject to conditions is always preferable to not granting accreditation when the concerns raised are capable of being resolved.

The primary intention of the states is for any concerns which are raised during assessment, and which would result in a condition being imposed, to be resolved in course of the same assessment. Where this is not possible, concerns should be included in the accreditation report as suggestions for conditions to be imposed on accreditation. The goal of reducing the number of conditions means working together to identify deficiencies and propose solutions.

1.1.2 Data basis and methodology

The analysis covered all 349 study programmes for which the Accreditation Council made a final decision under the new legal framework in 2018 and 2019. It did not include about 50 study programmes that the Accreditation Council dealt with but were still pending comment by the higher education institution under section 22 (3) of the Specimen Decree.

The analysis is to be considered preliminary and preparatory in several respects:

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[3] https://www.akkreditierungsrat.de/sites/default/files/downloads/2019/Bericht_Auflagenstichprobe_final.pdf

[4] *Musterrechtsverordnung gemäß Artikel 4 Absätze 1-4 Studienakkreditierungsstaatsvertrag* https://www.akkreditierungsrat.de/sites/default/files/downloads/2019/Musterrechtsverordnung.pdf; English translation: Specimen Decree Pursuant to Article 4, Paragraphs 1-4 of the Interstate Study Accreditation Treaty https://www.kmk.org/fileadmin/Dateien/veroeffentlichungen_beschluesse/2017/2017_12_07-Musterrechtsverordnung-englisch.pdf

[5] *Verwaltungsverfahrensgesetz für das Land Nordrhein-Westfalen* https://recht.nrw.de/lmi/owa/br_text_anzeigen?v_id=3120031009100236151

- The Electronic Information and Application System (ELIAS) does not yet include any tools for automated or semi-automated extraction of data relating to accreditation. So far, there is neither the working capacity to develop such tools nor a clear enough conception of what a software company would be asked to provide, meaning what data should be captured in what form. A significant part of the analysis therefore consisted of identifying what statistically useful information is currently available in ELIAS and how to extract it from the system.

- The resulting data was manually entered and analysed in a spreadsheet. The Head Office was not initially able to apply social science methods as this would have meant involving outside expertise, which was not possible in the time available; this has now been arranged for the purpose of updating the analysis.

- The analysis consequently did not attain the detail level of the 2017/18 sample survey of conditions imposed in accreditations. In principle, a similar degree of granularity would be desirable.

- While 349 study programmes constitute a sufficiently large sample population in order to draw initial, generally applicable conclusions, this number is not enough to answer more specific questions relating to subsets. The number of cases is still too small to make inferences with regard to analysis questions such as 'does Agency A generally imposed more conditions than Agency B in accreditations in mathematics and the natural sciences?'.

- The sample population consists of programme accreditations. It is not yet possible to draw any conclusions about study programmes at system-accredited higher education institutions.

1.1.3 Total number of conditions imposed

Whereas the majority of accreditations under the prior accreditation system were subject to conditions, the ratio has now been reversed, with the Accreditation Council imposing conditions on just 31% of study programmes versus 84% before.

Accreditations under the new legal framework

31%

69%

■ with conditions ■ without conditions

Accreditations under the old legal framework

■ with conditions ■ without conditions

16%

84%
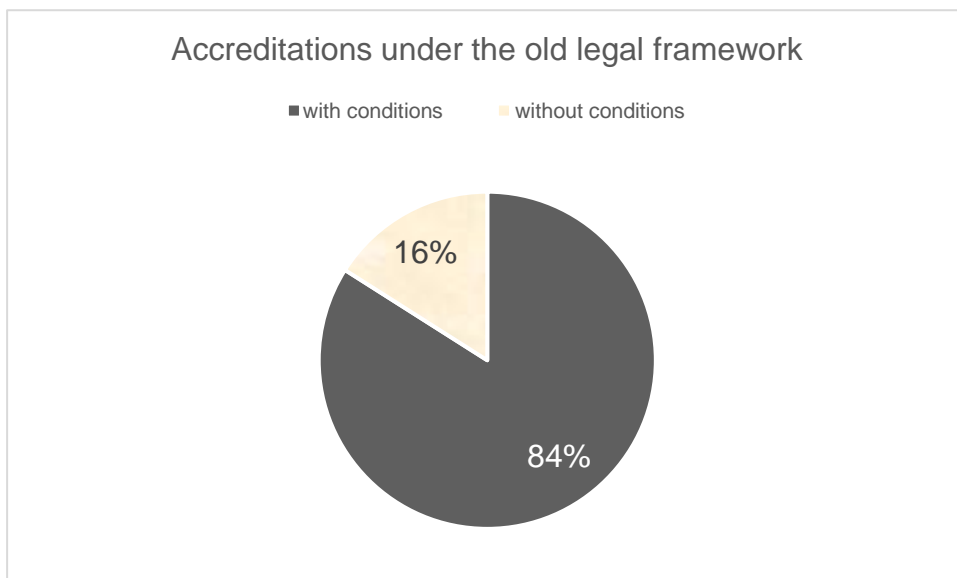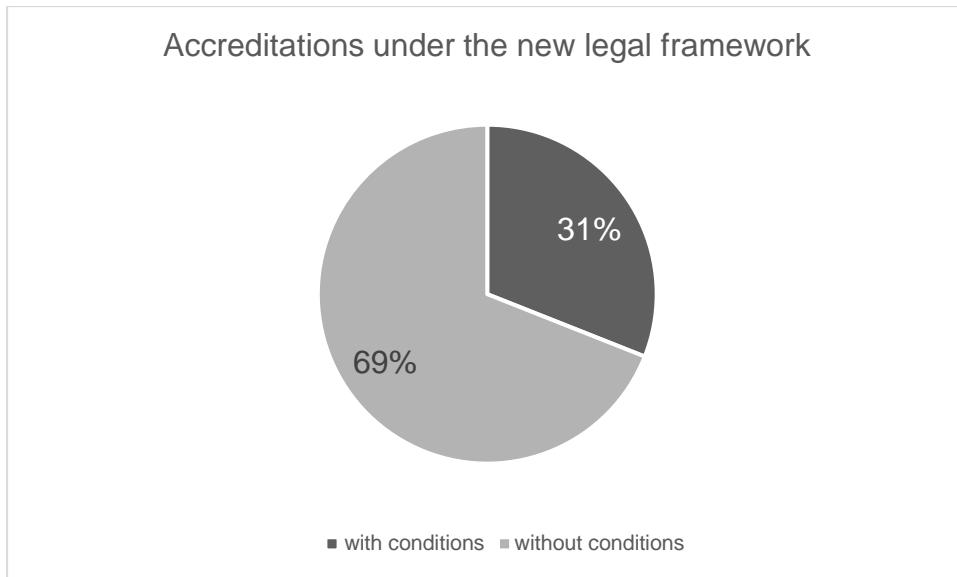
Even including the accreditations still pending comment, the percentage of accreditations subject to conditions is still below 40%.

1.2 Further considerations with regard to conditions

Subject to the reservations referred to in 1.1.2, the following may be inferred:

- Whether or not conditions are imposed does not depend on whether it is a case of initial accreditation or reaccreditation.
- The spread between agencies has narrowed. Under the old system, one agency imposed one or more conditions in 57% of study programmes and another in 95% (spread: 38 percentage points). Under the new system, no agency/review panel proposes conditions in the majority of accreditation reports. Between 55% and 80% of applications are submitted without conditions (spread: 25 percentage points).

- The Accreditation Council has not endorsed a number of conditions proposed by agencies/review panels but has imposed a commensurate number of conditions of its own.

- 38% of conditions related to formal criteria and 62% to academic criteria under the Specimen Decree.

- Half of the conditions relating to formal criteria related to section 7 of the Specimen Decree (Modularisation). 25% related to section 8 (Credit points system) and 15% to section 6 (Qualifications and qualification designations).

- The conditions relating to academic criteria are distributed as follows: 77% to section 12 (Coherent study programme concept and adequate implementation), 14% to section 11 (Qualification goals and qualification level), 6% to section 14 (Academic success) and 3% to section 13 (Subject-content organisation of study programmes).

1.3 Conditions: discussion and outlook

The trend with regard to the numbers of conditions has been reversed. In contrast to the old accreditation system, conditions are now imposed only in a minority of study programmes. A substantial portion of the remaining conditions can be assumed to relate to the transition phase to the new system. Reasons for them include the following:

- The states have tightened the criteria for 'dual' study programmes, in which higher education institutions cooperate with business enterprises, and have laid down a definition of 'dual' and thus made it a protected term (see 3.3). As was to be expected, a number of study programmes that previously used the hitherto unprotected term have come under the new accreditation system unaltered, and conditions have to be imposed accordingly.

- The new accreditation system has created a new 'handover point' between agencies/review panels and the Accreditation Council. While the new division of responsibilities worked generally as it should from the outset, a number of details remain to be settled. This is partly because of the Accreditation Council's conscious decision not to develop its assessment criteria on the drawing board – figuratively speaking – at the beginning of 2018, but to generate them from ongoing administrative practice (see 2.2).

Other reasons for conditions being imposed continue to apply:

- The states have communicated by way of a policy goal that there should ideally be a quality improvement/defect elimination feedback loop between agencies and higher education institutions in which concerns raised during assessment are resolved so that as many accreditations as possible proceed without the agency suggesting any

conditions. Such a feedback loop is evidently incorporated into many assessments and has the desired effect there. On the other hand, it is not a legal requirement, and many higher education institutions do without, for various reasons (among other things to save time).

- Various parties have said they expect that there is now hardly any need to impose conditions in relation to the formal criteria because the study programme structure reform is far enough in the past. This is indeed the case (see 1.2) for the 'static' criteria in sections 3 to 5 of the Specimen Decree, for which conditions are practically never imposed. The criteria in sections 6 to 8, however, are 'dynamic'. That is, they relate to aspects that are constantly evolving along with the study programmes themselves and therefore cannot ever be met once and for all. For example, module descriptions (section 7) often fail to keep up with the actual state of play in study programmes; editorial revision of module descriptions was also the condition most frequently imposed under the old system.

  The student members of the Accreditation Council recently raised a concern regarding diploma supplements that do not correspond with the current requirements (from 2018), which can cause difficulties in international jobs markets.

  This matter has been discussed with the agencies but will cause a temporary rise in the number of conditions imposed in relation to the formal criteria.

1.4   Other data

Aside from the subject of conditions, the accreditations dealt with so far also show a number of other trends.

Individual and cluster accreditations

The 349 study programmes related to 147 applications. That is, each accreditation application relates on average to 2.34 study programmes.

In actual fact, however, the cluster sizes are larger. Out of the 147 applications, 88 were individual applications and 59 were cluster applications. The latter thus comprised (349 – 88) = 261 study programmes, corresponding to 4.42 study programmes per cluster. The smallest clusters consisted of two study programmes and the largest one consisted of 20.

Initial accreditations and reaccreditations

In 2017, based on sparse data, the Accreditation Council estimated the ratio of reaccreditations to initial accreditations at 80% to 20%. In actual fact, the proportion accounted for by initial accreditations is bigger than expected, at 30%.

Distribution among academic subjects

The accreditation database uses the same division into subject groups as the German Rectors' Conference Higher Education Compass.[6] Due to the small numbers of cases so far, it is not yet possible to provide reliable information on subject groups in accreditation (examples of subject groups include engineering sciences or, as a single group, economic sciences and law). Two observations are nevertheless possible:

- The frequency of academic subjects in accreditation in 2018/19 corresponds, more or less, to the overall distribution of academic subjects in the Bachelor's and Master's study programmes registered in the Higher Education Compass.

- Initial accreditations accounted for a particularly large percentage of accreditations in the economic sciences and law subject groups; more specifically, this relates for the greatest part to economic sciences study programmes. This subject group was the only one with a majority (56%) of initial accreditations. The equivalent percentage was significantly smaller for the other quantitatively large groups: Mathematics and natural sciences 19%, engineering sciences 18%, and language and cultural studies 13%.

2 Strategic planning of the Accreditation Council: review and outlook 2018-2021

2.1 Introduction

Completion of the first half of the Accreditation Council's current term of office under the new accreditation system is a good moment to take stock and also to look at the challenges that lie ahead in the remaining half.

After adoption of the Interstate Treaty and Specimen Decree, the first priority was to lay the groundwork and create the conditions for the Accreditation Council to discharge its statutory tasks, thus safeguarding the functioning of the accreditation system and ensuring a smooth transition from the old system to the new. Following completion of this consolidation phase, which has lasted a good two years, the Accreditation Council now has ahead of it a 'new routine' phase, which internal projections suggest will involve processing large numbers of accreditation applications, especially in 2020. Nevertheless, the Accreditation Council will also have the opportunity in the remaining two years to set substantive priorities, mainly focused on addressing the experience it has gathered in its new role.

Both the review presented in the following and the Accreditation Council's strategic planning for the second half of its term of office in 2020-2021 hinge closely on the legal basis underly-

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[6] https://www.hochschulkompass.de/studienbereiche-kennenlernen.html

ing the accreditation system and the Accreditation Council and on the Foundation's mission statement[7].

2.2 Completion of the consolidation phase

With the entry into force of the Interstate Treaty on the Organisation of a Joint Accreditation System on 1 January 2018, the Accreditation Council now has the task of deciding on applications for the accreditation of study programmes or higher education institutions' internal QA systems and of laying the necessary groundwork for this purpose. A guiding factor in this process has been the Specimen Decree, which was adopted in December 2017 by the Standing Conference of Ministers of Education and Cultural Affairs and which 15 of the 16 states have now adopted in law in the form of decrees of their own.

In its constitutive meeting on 20 February 2018 (its 95th meeting all told), the Accreditation Council made the basic policy decision that rather than drawing up all-encompassing policy and planning papers, it would develop its strategy in a modular fashion based on the reality of administrative practice.

On the basis of this, the Accreditation Council has implemented a broad array of measures that are summarily presented by thematic area in the following.

Authorisation of agencies: On entry into force of the Interstate Treaty, the accreditation of agencies by the Accreditation Council was replaced by formal authorisation on the basis of an agency's listing in the European Quality Assurance Register for Higher Education (EQAR). The Accreditation Council adopted a procedure for authorisations on 20 February 2018 and, at the same time, granted all EQAR-listed agencies that were accredited as of 31 December 2017 the authorisation to conduct accreditations under the new legal framework.

Revision of the internal legal basis: The new legal framework in conjunction with the Accreditation Council's new tasks made it necessary to revise the Statutes and the rules of procedure both of the Accreditation Council and of the Foundation Council. The Statutes and rules of procedure entered into force at the end of 2018.

August 2018 saw the entry into force of the fee schedule adopted by the Accreditation Council to implement the provision in article 3 (6) of the Interstate Treaty on the charging of fees for the conduct of accreditations.

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[7] https://www.akkreditierungsrat.de/de/stiftung-akkreditierungsrat/leitbild/leitbild

The Foundation Accreditation Council is bound by the Standards and Guidelines for Quality Assurance in the European Higher Education Area (ESG) (see Mission Statement). With reference to ESG Standard 2.7, the Accreditation Council adopted an appeals procedure and established an Appeals Commission in February 2019. The latter is composed of three external members: a professorial member, a student member and a member proposed by the agencies. The Appeals Commission consults on objections and appeals and submits recommendations for resolutions of the Accreditation Council for final decision.

Adoption of specified report structures: For efficient processing of accreditation reports from currently ten accreditation agencies, the Interstate Treaty and the Specimen Decree provide for the Accreditation Council to specify a uniform structure for accreditation reports. The report structures were adopted by the Accreditation Council in mid-2018 and are now used by higher education institutions as guidance for their self-evaluation reports and by agencies for reporting.

Establishment of a digital application processing system: The Foundation Accreditation Council commits itself in its mission statement to the goal of carrying out accreditation procedures quickly, reliably, on time and transparently, from application to decision. In the process, the administrative workload for higher education institutions and agencies is to be kept to a minimum.

The large number of accreditation applications to be processed by the Accreditation Council made it essential to introduce an end-to-end digital application system combined with a database that complies with the legal requirements for publishing accreditation decisions. In the run-up to ratification of the Interstate Treaty, the Accreditation Council launched a European call for tenders in 2017 and, following completion of the contract award procedure and working on the basis of the draft Interstate Treaty and draft Specimen Decree, began to develop an application system with the contracted IT provider. The Electronic Information and Application System (ELIAS) began trial operation in late 2018, with regular operation following in June 2019. Since then, all incoming accreditation applications have been processed, documented, published and archived in fully digital form and in compliance with data protection law. ELIAS being a complex system, a number of features nevertheless still need to be implemented and adjustments made. Three sprints are planned for this purpose in 2020 with a corresponding allocation of financial resources.

Application management: The continuously growing numbers of accreditation applications to be processed over the past two years made it necessary to streamline internal processes. Specific measures taken in this connection include:

- Introduction of a rapporteur system: For each application, a rapporteur is designated who is a professorial member of the Accreditation Council with close ties to the sub-

ject involved. The rapporteur makes a preliminary assessment of the agency's and the review panel's accreditation proposals and is available to the remaining members, the Board and Head Office for questions on the accreditation and the submitted documents.

- En-bloc voting: Applications with accreditation proposals that the rapporteurs and the Head Office staff involved consider to be wholly reasonable, and for which no further need for consultation is raised, are voted on en bloc. This enables the Accreditation Council to devote sufficient time, despite the large numbers of applications, to consultation on contentious cases or complex accreditations.

- Advance notice of need for consultation: The members of the Accreditation Council are asked to give notice of any need for consultation in advance of meetings so that suitable preparations can be made. The Head Office staff involved can then specifically prepare for questions on the matter. This measure, too, results in more efficient consultation on applications in meetings.

- In preparation for meetings, members of the Accreditation Council receive an executive summary, prepared by Head Office, containing an overview of all applications together with accreditation proposals, dissenting assessments by rapporteurs or by the Head Office staff involved, and the main substance of decisions.

- Digital voting tool: A digital voting tool used in Accreditation Council meetings records the voting results, taking into account the double weighting carried by the votes of the higher education representatives in accreditation decisions.

- Supporting Committee: At its December meeting, the Accreditation Council appointed a Supporting Committee comprising representatives of all member groups. The Accreditation Council can refer questions of principle or specific topics to the Supporting Committee for preparation for the next Accreditation Council meeting. This reduces the time required for meetings without delegating responsibility.

Reliable and transparent procedures: In the first section of the explanatory memorandum to the Interstate Study Accreditation Treaty, compatibility with the Standards and Guidelines for Quality Assurance in the European Higher Education Area (ESG) is cited as one of the guiding principles for the Treaty. The prominence given in the ESG to standards for reliable and transparent procedures based on criteria that are interpreted consistently and are evidence-based (ESG 2.5) is reflected in the Accreditation Council's mission statement:

"The Foundation Accreditation Council is committed to ensuring that accreditations are carried out by the Accreditation Council quickly, reliably, on time and transparently, from

application to decision. In the process, the administrative workload for higher education institutions and agencies is to be kept to a minimum."

The Accreditation Council has adopted a number of additional resolutions based on this objective. These resolutions do not presume to compete with the Interstate Treaty and the states decrees that form the sole legal basis for the activities of the Foundation Accreditation Council. Nevertheless, higher education institutions and agencies proved in practice to need substantial clarification and information in various areas, making it necessary for the Accreditation Council to issue interpretation and application guidance.

All resolutions set out in the following aim to ensure consistent application processing and decision-making, to enhance process efficiency within the Foundation Accreditation Council and to promote dialogue and collaboration in a spirit of partnership among all involved (see Mission Statement).

- Reporting obligations for system-accredited higher education institutions (24 September 2018).[8] This resolution explains the requirements that system-accredited higher education institutions must take into account when entering their internal accreditations into the database of accredited study programmes.

- Size of review panels in cluster accreditations (21 March 2019).[9] This resolution interprets the rules contained in the Specimen Decree on the composition of review panels in cluster accreditations, in particular with regard to the ratio between the groups represented on a review panel.

- Preliminary guidance for the preparation of accreditation reports (21 March 2019).[10] This resolution is primarily addressed to reviewers and agencies and is based on experience gained by the Accreditation Council in processing the first accreditation applications. It explains what the Accreditation Council expects of accreditation reports as the basis for its accreditation decisions.

- Guidelines for quality reports by system-accredited higher education institutions (17 September 2019).[11] In this resolution, the Accreditation Council addressed a consid-

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[8]
https://www.akkreditierungsrat.de/sites/default/files/downloads/2019/AR_Beschluss_Berichtspflichten%20f%C3%BCr%20systemakkreditierte%20Hochschulen_2018-09-24_Drs.%20AR%20108-2018.pdf

[9]
https://www.akkreditierungsrat.de/sites/default/files/downloads/2019/AR_Beschluss_Groesse_der_Gutachtergremien_in_Buendelverfahren_2019-03-21_Drs._AR_35-2019.pdf

[10]
https://www.akkreditierungsrat.de/sites/default/files/downloads/2019/AR_Beschluss_Vorlaeufige_Orientierungshinweise_fuer_die_Erstellung_von_Akkreditierungsberichten_2019-03-21_Drs._AR_36-2019.pdf

[11]
https://www.akkreditierungsrat.de/sites/default/files/downloads/2019/AR_Beschluss_Hinweise%20f%C3%BCr%20Qualit%C3%A4tsberichte%20systemakkreditierter%20Hochschulen_2019-09-17_Drs.%20AR%2085-2019.pdf

erable lack of uniformity in reporting by system-accredited higher education institutions. To ensure consistent reporting within the accreditation system, the Accreditation Council considered it necessary to interpret the relevant rules in the Specimen Decree – section 29 sentence 3 and section 18 (4), specifying requirements for documentation of assessments and for publication by system-accredited higher education institutions – and to issue guidance on quality reports.

- Automatic extension of previous accreditation for the duration of the accreditation procedure (22 November 2019).[12] To ensure unbroken accreditation in cases where the accreditation decision was made after a previous accreditation expired, the Accreditation Council formerly granted accreditation with retroactive effect from expiry of the previous accreditation. This could result in a study programme that was not reaccredited until some time after the previous accreditation expired being left temporarily unaccredited pending the Accreditation Council's decision. In response to this issue, which was raised by numerous higher education institutions, the Accreditation Council adopted the resolution here referred to, thus providing higher education institutions with a pathway for extension provided that applications are made on time.

To provide information on new decisions and all procedural requirements for application, the Accreditation Council has developed an FAQ page[13] and recently also began to communicate online via its public Twitter channel[14], notably with links to new or otherwise interesting information on the Accreditation Council website.

Rules of Procedure for Alternative Accreditation Procedures: Section 34 of the Specimen Decree specifies the requirements for alternative accreditation procedures and contains a mandate to the Accreditation Council to develop rules of procedure for them. The Accreditation Council adopted rules of procedure[15] in summer 2019 with the aim of facilitating the processing of alternative accreditation procedures without restricting the latitude that the lawmakers intended for this category of procedure.

Quality management: As an organisation for external quality assurance in higher education, the Foundation Accreditation Council is committed to the principle of internal and external quality assurance of its own work. The Accreditation Council adopted a quality management

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[12]
https://www.akkreditierungsrat.de/sites/default/files/downloads/2019/AR_Beschluss_Automatische_Verlaengerung_Akkreditierungsfristen_2019_11_22_Drs.%20AR%20107-2019.pdf

[13] https://www.akkreditierungsrat.de/de/faq

[14] https://twitter.com/stiftungar

[15]
https://www.akkreditierungsrat.de/sites/default/files/downloads/2019/AR_Beschluss_Verfahrensordnung_Alternative_Akkreditierungsverfahren_2019-06-04_Drs._AR_63-2019.pdf

system[16] in September 2019 that specifies the quality cycles and responsibilities for processing structured and unstructured feedback. At the centre of this system is the Foundation's objective, as stated in its mission statement, of reflecting on the performance of its tasks and regularly evaluating feedback from higher education institutions and agencies so that the findings can be used in further developing the quality assurance system and application procedures on the basis of experience.

Provision is also to be made in ELIAS for higher education institutions to give feedback on procedure quality from their own perspective as input to the Accreditation Council's quality assurance process.

Code of conduct: The Foundation Accreditation Council commits in its mission statement to ensuring that accreditation decisions are made independently of third parties and that suitable measures are taken to prevent any conflicts of interest. To this end, in February 2019, the Accreditation Council adopted a code of conduct for members, substitute members and permanent guests of the Accreditation Council,[17] specifying rules on the disclosure and handling of conflicts of interest.

Quality development: In its mission statement, the Foundation Accreditation Council states that it is committed to academic freedom and the autonomy of higher education institutions and sees higher education institutions as the bearers of the primary responsibility for quality in teaching and learning. With this in mind, rather than releasing them from their responsibility for quality by means of minute scrutiny, accreditation can also be understood above all as supporting higher education institutions by providing impetus to reflect on their activities and to initiate a continuous process of quality development. Accreditation provides higher education institutions with the opportunity to subject this process to peer review and demonstrate that they indeed do assume responsibility for quality in teaching and learning. The Accreditation Council has already instituted a number of measures for sharper focus on quality development.

- Quality development award: The explanatory memorandum to the Specimen Decree notes with regard to section 24 that review reports may also give recommendations for quality development of a study programme or quality management system that are directed at quality improvements going beyond the standards to be applied by the Accreditation Council in accreditation. Review reports may also name best-practice models for study programmes. In response to this, the Accreditation Council introduced a quality development award that is to be conferred for the first time at its

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[16] https://www.akkreditierungsrat.de/de/stiftung-akkreditierungsrat/qualitaetsmanagement/qualitaetsmanagement-der-stiftung

[17] https://www.akkreditierungsrat.de/de/stiftung-akkreditierungsrat/verhaltenskodex/verhaltenskodex

103rd meeting. The award will single out best practices in higher education quality development at the level of study programmes and QA systems that can serve as inspiration for other higher education institutions. It presupposes implementation of the Specimen Decree adopted by the states and hence accreditation under the new legal framework.

- Quality dialogue: Based on the goal articulated in the Foundation's mission statement of promoting dialogue between all involved in the accreditation system, the Accreditation Council seeks to discuss selected issues relating to teaching and learning in dialogue with higher education institutions and other stakeholders, in order both to enhance the Accreditation Council's own expertise and to raise awareness of the issues among those involved in assessment.

  The first quality dialogue took place in autumn 2019 and addressed the relationship between academic further education and accreditation. Further education courses are capable of accreditation when they take the form of study programmes. Other forms of further education courses can be covered by system accreditation.

- Section on quality development in accreditation reports: The specified report structure provides for a separate section of the accreditation report in which reviewers are asked to assess the further development of the study programme over the accreditation period and how any recommendations have been implemented. Initial experience with this cross-cutting section on quality development is positive; it gives the review panel scope to bring out specific points.

Office space and staffing: Enabling the Foundation Accreditation Council to perform its significantly increased responsibilities required changes to the institutional framework and the provision of adequate staffing and funding. The states substantially increased the Foundation's funding at its request and the Foundation Council adopted a new fee schedule that adequately reflects the work to be performed by the Foundation in processing applications.

This made it possible to appoint four additional programme managers and an additional administrative assistant, and to create an additional part-time secretarial position. The Foundation was also able to rent two additional floors in the existing building.

2.3 Priorities and development potential for 2020/21

With the completion of the consolidation phase, the Foundation Accreditation Council has done the groundwork for it to fulfil the tasks assigned to it under the Interstate Treaty. The following three work priorities are set for the second half of the current term of office:

Work priority 1: Handling the expected volume of applications

Internal calculations based on the data in the accreditation database indicate that applications for the accreditation of some 1,600 study programmes will be received in the course of 2020 (large numbers of applications for system accreditation are not expected until 2021). This necessitates further process optimisation. The following measures have been taken and in part already implemented:

- To make the best use of limited meeting time, filtering measures have been developed to enable applications for which no consultation is needed to be voted on en bloc while ensuring observance of the rules on abstention for conflicts of interest.

- The Rules of Procedure will be reviewed with a view to further efficiency improvements in the light of experience on voting in meetings to date.

- Accreditation reports are the main basis for the Accreditation Council's accreditation decisions. To arrive at a better mutual understanding of what accreditation reports should contain, close dialogue is needed between the Accreditation Council and the agencies responsible for the reports. A working meeting for programme managers from agencies and the Accreditation Council Head Office to share experience is planned for the end of March 2020.

- The goal of improved communication is also served by the Accreditation Council's first video on the topic of accreditation reports, which is to be published in the near future.

  To increase the quality of data in the Accreditation Council's database and provide higher education institutions with technical support in the application process, the Accreditation Council has started to provide free workshops on the use of ELIAS organised by the Head Office database team. The first workshop took place in 2019 and another is scheduled for 5 March 2020. Due to popular demand, two more workshops are planned for May 2020 and others may follow.

- The Database 2021 project aims to improve data quality in the accreditation database, particularly for combined study programmes. This will also facilitate the submission and processing of applications.

Work priority 2: Systematic reflection on the Accreditation Council's own work

The Foundation Accreditation Council articulates in its mission statement the objective of reflecting on the performance of its tasks and regularly evaluating feedback from higher education institutions and agencies so that the findings can be used in further developing the quality assurance system and application procedures on the basis of experience.

This is the purpose of a reflection congress planned for mid-2021. The thematic analysis of conditions imposed in accreditations (see 1.1) is also to be continued and further disaggregated.

One product of this work will consist of suggestions to the states for revision of their decrees. This task is assigned to the Accreditation Council in article 5 (3) no. 6 of the Interstate Treaty.

Work priority 3: Evaluation of the Foundation in the European context

Under the Interstate Treaty, the Foundation is to be evaluated for the first time five years after the Treaty's entry into force. The multiple references to the European Standards and Guidelines (ESG) in the explanatory memoranda to the Interstate Treaty and the Specimen Decree make it logical for the evaluation of the Foundation to be combined with the review for compliance under the new accreditation system with the standards agreed at European level, and for the evaluation to be carried out in the course of an ENQA review. With a site visit planned for late 2021, it is expected that the review findings will be presented in 2022, thus enabling the project to be completed within the specified five-year period. The findings can be taken into account in the new term of office of the Accreditation Council from 2022 and used by the states in their evaluation of the Specimen Decree.

3 Accreditation decisions in the Accreditation Council: Key considerations and issues

The assessment areas covered in the following represent a selection of issues that the Accreditation Council has addressed in particular detail in 2018 and 2019. The selection is made expressly by way of example and is therefore non-exhaustive.

For all assessment areas, it should be noted that the primary source for the Accreditation Council's final decisions comprises the accreditation reports and the reviewers' accreditation proposals. Its decision-making role nevertheless means that the Accreditation Council has the task of developing a cross-cutting, consistent picture of the criteria under the decrees adopted by the states and of the meeting of those criteria. The considerations set out in the following aim to show the perspective from which Accreditation Council approaches the criteria concerned. Agencies are requested to pass on these considerations to reviewers so that the aspects involved are evaluated in the assessment procedure and this is reflected in review reports. Among other things, this is a key condition for further reducing the number of conditions imposed in accreditations.

3.1 Teaching Staff assessment area

Specimen Decree

Section 12 (2), sentences 1-2: "The curriculum is implemented by sufficient teaching staff with appropriate specialist and methodical-didactic qualifications. The combination of research and teaching is guaranteed in accordance with the profile of the type of higher education institution in particular through professors (main job) in both undergraduate and graduate study programmes."

Assessment criteria

The Accreditation Council has addressed the various facets of the Teaching Staff assessment area at varying detail level in its plenary meetings. A particular focus was on quantitative supervision ratios, primarily in distance learning study programmes. At its 101st meeting in September 2019, the Accreditation Council referred this topic to the Supporting Committee to be addressed in greater depth. The Supporting Committee drafted recommendations in October 2019 that the Accreditation Council consulted on at its 102nd meeting in November 2019.

In line with the explanatory memorandum with regard to section 12 (2) sentences 1 and 2, the Accreditation Council, in its assessment, exercises "discretion depending on the concrete study programme". The shape taken by staffing policy in relation to the above-mentioned sections and subsections is therefore primarily the responsibility of the applicant higher education institution. Rather than assessing on a schematic basis as a matter of principle, the Accreditation Council thus always looks to the individual case, taking into account the specific circumstances of the study programme concept and the applicant higher education institution. The Accreditation Council expects the accreditation report to contain an evidence-based description and assessment of the individual case, above all, and in particular, with regard to the actual quantitative and qualitative staffing needs.

While this gives higher education institutions considerable latitude, the Accreditation Council's decisions are based on a number of fundamental considerations and assessment criteria:

- Qualitative assessment criteria
  - Within the scope of the individual staffing policy, parts of a study programme that are constitutive of its profile can be covered by different professorships and/or delivered using curriculum imports and/or external collaborations. The planning approach therefore does not necessarily have to be based on a 'core professorship' behind the study programme.
  - In line with the explanatory memorandum, the Accreditation Council applies a flexible approach in interpreting the stipulation that the combination of research and teaching must be ensured "in particular" by full-time professors.

Rather than assuming a minimum percentage of full-time (professorial) teaching staff, the Accreditation Council expects the higher education institution to show that, within the scope of its individual planning approach, it employs an "adequate number" of full-time professors in teaching as a rule.

- Quantitative assessment criteria
  - o The supervision ratio in a study programme must be considered in its entirety having due regard to the form of study, and with distance learning programmes in particular must be assessed in context with other quality indicators. The professor/student supervision ratio is of little value on its own. In the opinion of the Accreditation Council, there are no rules of thumb or guide ranges for acceptable supervision ratios. Deviations from the 'norm' must however be discussed and assessed in detail.

- Structural assessment criteria
  - o In the accreditation of study programme concepts, the Accreditation Council considers it legitimate for recruitment not to be complete at the time of application and to be carried out over time with a view to later semesters.
  - o The individual planning approach must however be <u>sufficiently final</u> and cover at least the eight-year accreditation period. This results in the following expectations:
    - Professorships relevant to the study programme must be institutionally secure for at least eight years.
    - As parts of the curriculum are delivered as a rule by external (higher education or non-higher education) cooperation partners, the Accreditation Council expects to see evidence that these parts of the curriculum are contractually safeguarded for the accreditation period.
    - If recruitment is not complete at the time of application, the Accreditation Council expects a sufficiently final staffing plan with a timescale.

Practice regarding the imposition of conditions

The Accreditation Council follows a number of basic considerations when formulating conditions:

- Any intervention in institutional staff planning must be kept to a minimum. The Accreditation Council therefore generally refrains from requiring the establishment of a specific professorship with a specific designation and instead requires suitable staff/professorial coverage for a specific thematic area relevant to the study programme's qualification profile.

- The Accreditation Council proceeds in the knowledge that filling a position and particularly appointing a professor can be a lengthy process whose timing cannot be precisely planned. It is therefore not considered practicable to impose a condition that a specific position has to be filled by a specific time. Depending on the individual case, the Accreditation Council may instead require, for example, evidence that a position has been advertised and/or a rough timescale for the recruitment procedure.

3.2 Academic Success assessment area

Specimen Decree

Section 14 sentences 1-3 of the Specimen Decree: "The study programme is subject to continuous monitoring that also involves students and graduates. Measures to ensure the academic success are derived on the basis of this monitoring. These are under constant review and the results are used for the further development of the study programme."

Explanatory memorandum to the Specimen Decree on section 14: The criteria to be assessed "comprise a closed loop with a regular review (clause 1), the introduction of measures based on the results of the review (clause 2) and a continuous monitoring of the success as well as use of the results for continued enhancement (clause 3). Suitable monitoring measures are in particular course evaluations, workload surveys or graduate surveys, though also statistical analyses of the study and examination progress and student/graduate statistics."

Study programme-related data

In the opinion of the Accreditation Council, verifying compliance with this stipulation requires statistical data to be documented and assessed in the course of accreditation on, at minimum, the success rate, grade distribution and mean study programme duration.

Assessment criteria

The Accreditation Council and the Supporting Committee have addressed the collection and interpretation of statistical data in great depth. The Accreditation Council is aware that statistical data on academic success and mean study programme duration are not meaningful in themselves. Instead, they provide heuristic impetus for further analysis.

Low success rates and high mean study programme durations relative to the standard periods of study are *potential* indicators of structural problems in a study programme but must be assessed in each case in the overall context of the study programme and the relevant academic discipline.

It should be emphasised that, firstly, study programme duration and drop-out rates not only relate to section 14 of the Specimen Decree, which is the section of relevance here, but also provide important indications regarding the meeting of the academically feasibility criterion in section 12. Secondly, the entire complex of issues around academic feasibility, study programme duration and drop-out rates has played a prominent role in higher education policy for decades that can be traced as far back as the 1960s (!), the most conspicuous more recent example being the 2009 student protests. Any external quality assurance system would lose its legitimacy if it failed to give these issues the weight they deserve and to underpin them with data – which these days is readily available.

The Accreditation Council is accordingly guided in its decisions in this assessment area by the following basic considerations and assessment criteria:

- The Accreditation Council expects applicant higher education institutions to address statistical data continuously and systematically in their quality management systems.

- The guiding question should be whether anomalous statistics are due (a) to problems in the structure of the study programme or (b) to causes beyond the higher education institution's (direct) control (such as individuals enrolling without intending to study, or students' personal reasons). If (a) applies, the Accreditation Council expects the higher education institution to provide an evidence-based description of the adopted countermeasures and that description to be assessed in the course of accreditation.

Practice regarding the imposition of conditions

If assessment criteria are not met, the Accreditation Council carefully weighs, on a case-by-case basis, between imposing a condition and a softer response (issuing a guidance note). When formulating conditions, the Accreditation Council exercises a policy of taking into account the process implementation of data analysis in the higher education institution's quality management system:

- If no statistics have been documented in the assessment, the Accreditation Council normally asks the higher education institution to provide them.

- If the higher education institution does not keep such statistics, the Accreditation Council imposes a condition. This generally requires implementation of a suitable process (data collection and analysis), but not retrospective data collection.

- If statistics are available but the applicant higher education institution and/or agency and reviewers in the assessment process are unable to provide an assessment of them or their assessment is equivocal, the Accreditation Council assesses the statistics itself within the scope of its abilities. Depending on the outcome, it issues a guidance note or imposes a condition.

- o If the statistics are non-anomalous in the context of the academic discipline and/or it is evident from the review report and other application documents from the higher education institution that there are no structural problems relating to the study programme, the Accreditation Council states its finding in a guidance note. Within that guidance note, however, the Accreditation Council also emphasises that the issues of academic success and mean study programme duration are nevertheless expected in future to be systematically addressed in accreditations and where applicable in the higher education institution's internal quality management system.

- o If the statistics are anomalous in the context of the academic discipline but the study programme has been fundamentally restructured in response, the Accreditation Council issues a guidance note as under 3.1 and gives additional emphasis to its expectation that (greater) attention will be paid to the figures in future.

- o If the statistics are anomalous in the context of the academic discipline, the higher education institution has not addressed the matter and it is probable or cannot be ruled out that there are structural problems relating to the study programme, the Accreditation Council imposes a condition. This requires the implementation of a process for the systematic collection of statistics on academic success and mean study programme duration, but not the retrospective assessment of past data.

The Accreditation Council will never impose conditions based on the data alone. It cannot be emphasised strongly enough that statistics do not speak for themselves and must always be analysed in context – primarily by the higher education institution itself and the review panel. Accordingly, such statistics are not suitable for comparison purposes either. The Accreditation Council's perspective is always on the individual study programme combined with the question of whether the study programme itself harbours difficulties with regard to academic success that can be resolved without compromising the qualification level.

3.3   Specific Attributes/Dual assessment area

Specimen Decree

Section 12 (6) of the Specimen Decree: "Study programmes with a particular profile requirement have a self-contained programme concept that takes the particular characteristics of the profile into due account."

Explanatory memorandum to the Specimen Decree on section 12 (6): "The study programme's profile as published by the higher education institution has to be included in the assessment too. If the higher education institution advertises or identifies a study programme with certain features (e.g. international, dual, extra-occupational, virtual, on-the-job, part-time), these features are part of the programme profile and thus also a subject matter of the assessment. […] A study programme may be called and advertised as 'dual' if the places of learning (at least higher education institution/college of cooperative education and company) are systematically geared to each other in terms of content, and organisation and on contract-level."

Assessment criteria

The term 'dual' having been given a binding definition for the first time poses a challenge for many higher education institutions. As 'dual' was not previously a protected term, numerous programmes with this profile attribute have been accredited in the past that fail to (adequately) meet the requirements of the Specimen Decree and the decrees issued by almost all of the states. Some higher education institutions argue that the higher education act of the Land in which they are located allows greater latitude than the Specimen Decree or the decree issued by that Land. The Accreditation Council has always emphasised that the sole assessment criterion is the Specimen Decree or the corresponding Land decree, whose stipulations overrule any more general stipulations of the higher education act in the respective Land. The governments of all of the states examined their decrees for consistency with their existing higher education legislation, thus ruling out any conflicts.

The Accreditation Council is aware of the political relevance of this issue. There was extensive debate on study programmes that claim to be 'dual' particularly at the 102nd meeting in November 2019. Alongside consumer protection considerations, an express concern of the Accreditation Council is to raise awareness of this issue among higher education institutions and accreditation agencies.[18] The Accreditation Council also aims for transparent communication of its specific expectations regarding 'dual' study programmes, not only in the resolutions concerned and a planned FAQ page, but also in direct contact with higher education institutions. The special challenges of dual study programme concepts will also be addressed in a public quality dialogue in June 2020.

On the basis of section 12 (6), the Accreditation Council expects higher education institutions to provide an evidence-based description in the accreditation procedure of how they ensure systematic academic, organisational and contractual coordination across the different

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[18] See press release of 26 November 2019
(https://www.akkreditierungsrat.de/sites/default/files/downloads/2019/AR_Pressemitteilung_%20102.%20Sitzung%202019-5.pdf (4 February 2020))

learning venues <u>in the specific study programme concept</u>. How these three dimensions are coordinated in detail is the responsibility of the higher education institution. Regarding the general scheme of a dual study programme, including in contrast to other formats, the 2013 recommendations of the German Council of Science and Humanities[19] provide useful guidance. In all other respects, the Accreditation Council's decisions are based on a small number of primarily structural considerations and assessment criteria:

- The Accreditation Council fundamentally bases its assessment on the study programme and not the complementary practical element. This means that coordination in terms of academic content does not necessarily have to feature in the curriculum. Training/employment in parallel with study and in an area academically related to a study programme is not enough to make a study programme 'dual', even if the practical element is credited in part to the study programme without additional transfer or if the study programme is credited in part to the training.

- Coordination in terms of academic content must be systematic. Mere passing contact with professional practice, such as in a work placement semester or in the thesis, does not make a study programme 'dual'. In the opinion of the Accreditation Council, this also means that the curriculum for the dual version of a study programme must differ from that for a complementary, 'conventional' full-time version at least in terms of the specific requirements for students.

- Coordination in terms of academic content must be incorporated in the study programme documentation (such as module descriptions, study regulations and examination regulations).

- The higher education institution, as part of quality control and quality assurance, must be able to obtain a binding commitment from the industry partners with regard to such coordination, for example in contractual cooperation agreements.

Practice regarding the imposition of conditions

The problems in most cases are basically similar: Some study programme concepts applied for as 'dual' study programmes show varying degrees of organisational coordination between learning venues, whereas (systematic) coordination in terms of academic content between the higher education institution and the industry partner is not in evidence. At detail level, this relates both to study programmes where it is doubtful from the outset that the higher education institution even intends them to be 'dual' within the meaning of the law or to be made so in the medium term, and to study programmes where it is reasonable to assume that there are elements of coordination in the study programme as implemented but that they are not reflected in its documentation. As it is not usually possible to verify this either way,

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[19] https://www.wissenschaftsrat.de/download/archiv/3479-13.pdf (13.12.2019)

the condition imposed by the Accreditation Council normally includes two options: Primarily, the higher education institution is expected to ensure systematic coordination and hence a state of affairs compatible with section 12 (6), and only as an alternative is it called upon to cease referring to the study programme as 'dual'.

3.4 Specific Attributes/Extra-Occupational assessment area

Specimen Decree

Section 12 (6) of the Specimen Decree: "Study programmes with a particular profile requirement have a self-contained programme concept that takes the particular characteristics of the profile into due account."

Explanatory memorandum to the Specimen Decree on section 12 (6): "The study programme's profile as published by the higher education institution has to be included in the assessment too. If the higher education institution advertises or identifies a study programme with certain features (e.g. international, dual, extra-occupational, virtual, on-the-job, part-time), these features are part of the programme profile and thus also a subject matter of the assessment.

In these cases, the criteria named in paragraphs 1 to 5 are applicable depending on the specific profile and from the specific point of view in each case and must be measured against the particular requirements to be defined in each case by the higher education institutions. These include in particular aspects such as the specific target group, a particular organisation of the study programme, different places of learning and the involvement of practical partners, for example in dual models, specific teaching and learning formats or the existence of a sustainable quality management system that covers the different places of learning."

Assessment criteria

The Accreditation Council already addressed this issue under the 'old' accreditation system in guidance on study programmes with specific profile attributes and found that study programmes that provided for full-time employment alongside a full-time student workload of 60 ECTS points per year are not academically feasible ("no full-time plus full-time").[20]

In their Common Guidelines, the states defined the workload in a full-time course of study as equivalent to full-time employment: A weekly workload of 32-39 hours over 46 weeks a year

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[20] Guidance from the working group on study programmes with specific profile attributes, resolution of the Accreditation Council of 10 December 2010, AR 95/2010
(http://archiv.akkreditierungsrat.de/fileadmin/Seiteninhalte/AR/Beschluesse/AR_Handreichung_Profil.pdf)

gives an annual workload of approximately 1,500-1,800 hours.[21] A full-time course of study is thus comparable with full-time employment and this equivalence has to be borne in mind when assessing the student workload in extra-occupational study programmes.

The Accreditation Council has engaged intensively with the assessment of the 'extra-occupational' profile attribute in the assessment process under the 'new' accreditation system. At its 101st meeting in September 2019, the topic was referred to the Supporting Committee to be addressed in greater depth. The recommendations drafted by the Supporting Committee were discussed by the Accreditation Council at its 102nd meeting in November 2019.

The basic assessment criterion remains "no full-time plus full-time"; it is not possible to make further stipulations. The Accreditation Council expects that the compatibility of the individual study programme concept with students' parallel employment will be verified in the assessment process. The distribution of the workload over the course of the study programme (standard period of study) is a key factor here, although a part-time-only study programme with an extended period of study is not enough to satisfy the 'extra-occupational' profile attribute. The organisation of the study programme and teaching plan must also be tailored to the specific needs of the target group, for example with evening or weekend classes and/or e-learning elements. Cooperation with practitioners, different learning venues or a quality management approach tailored to the specific profile attributes are further relevant factors in this context. The Accreditation Council expects that the workload, especially in attendance phases, will be made transparent to applicants in a suitable form.

Practice regarding the imposition of conditions

The problems in most cases are similar. Some study programmes applied for as 'extra-occupational' are organised to accommodate students' employment but many are full-time. With the above assessment criterion, it is then inevitable that a condition will be imposed. The Accreditation Council then leaves it up to the higher education institution either to modify the standard period of study, establish an optional part-time version with an extended standard period of study, or cease referring to the study programme as 'extra-occupational'.

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[21]

http://archiv.akkreditierungsrat.de/fileadmin/Seiteninhalte/KMK/Vorgaben/KMK_Laendergemeinsame_Strukturvorgaben_aktuell.pdf