

**Deviations between  
Accreditation Recommendations of Expert Panels  
and  
Final Decisions of the German Accreditation Council**

Thematic analysis

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**Inhalt**

<b>1. Introduction</b> .....	3
<b>2. Legal framework change</b> .....	3
<b>3. Data</b> .....	7
<b>4. Analysis und Results</b> .....	7
<b>5. Conclusion</b> .....	11

## **1. Introduction**

Higher Educational Institutions (HEIs) are constantly adapting to developing needs of the society, and are simultaneously facing new challenges, such as internationalisation, growing heterogeneity of students, different educational biographies and its consequences for higher education and training, the consequences of demographic developments for HEIs and the demand for lifelong and digital learning in the future. This implies that the quality assurance processes also need to be correspondingly adapted, which could only be done with a help of continuous dialogue between the stakeholders. ACQUIN sees its role not only as a service-provider, but as a reliable partner of HEIs in developing quality culture and new quality-oriented approaches.

The introduction of the new legal framework on the 01 January 2018 has been one of such major changes that has significantly influenced all the stakeholders involved in the accreditation process: agencies, HEIs, academic community, experts. For the agencies, this has meant that internal processes needed to be revised or newly developed to bring them in accordance with the new requirements. Importantly, the readiness and the ability of the agencies are crucial for the proper functioning of the whole system for it is the responsibility of the agencies to guarantee that all the stakeholders properly understand the new criteria and requirements and implement them correspondingly.

Thus, the purpose of this analysis is, on the one hand, to see how well ACQUIN is fulfilling the role it has been assigned in the new framework, as well as its role as the partner of HEIs. On the other hand, a bigger, long-term purpose is to provide a systemic overview and analysis of the new framework's functioning, identify tendencies, good practices, potential problems and their implications for the complete system. This paper present the first step of this analysis.

## **2. Legal framework change**

In 2018 a fundamental change took place in the German accreditation system. Until 31 December 2017, the German accreditation system was organised in a decentralised manner. The accreditation of study programmes resp. of internal quality assurance systems in teaching

and learning of higher education institutions (HEIs) was carried out by accreditation agencies, who in turn were periodically accredited by a central accreditation body, the German Accreditation Council of the Foundation for the Accreditation of Study Programmes in Germany (GAC). The GAC defined the basic requirements of the process and insured that any accreditation was carried out based on reliable and transparent criteria. A contract between agency and GAC defined the rights and obligations of the agency and the GAC. As part of their contract agreements, the agencies committed themselves to the deployment of the resolutions of the GAC as well as to taking the Common Structural Guidelines of the Laender into consideration, which were the legal basis for the accreditation of study programmes. The GAC monitored the accreditations granted by the agencies.

With the Interstate Study Accreditation Treaty coming into force on 1 January 2018, a new legal basis has been established for the accreditation system in Germany, following the resolution of the Federal Constitutional Court on 17 February 2016. The Standing Conference of the Ministers of Education and Cultural Affairs (KMK) has then agreed on the corresponding specimen decree (Specimen decree pursuant to Article 4, paragraphs 1 – 4 of the interstate study accreditation treaty, resolution of the Standing Conference of the Ministers of Education and Cultural Affairs of the Laender in the Federal Re-public of Germany of December 7, 2017.

Key feature of the new system is the altered status of the GAC. The Foundation Accreditation Council is a joint institution of the states for accreditation and quality assurance in teaching and learning at German HEIs. One of the main responsibilities is the accreditation and re-accreditation of study programmes and internal quality assurance systems of HEIs as well as other quality assurance procedures by awarding the foundation's seal. Further, the foundation authorises agencies being active in Germany. As a requirement for the authorisation, the agency must prove that it is reliably able to exercise the tasks of the assessment and the preparation of the review report; this is refutably assumed for agencies that are listed in the EQAR.

In the new system agencies are conducting assessment procedures based on a self-assessment report of the HEI and a binding template, which is provided by the GAC, agencies prepare an accreditation report of peer experts.

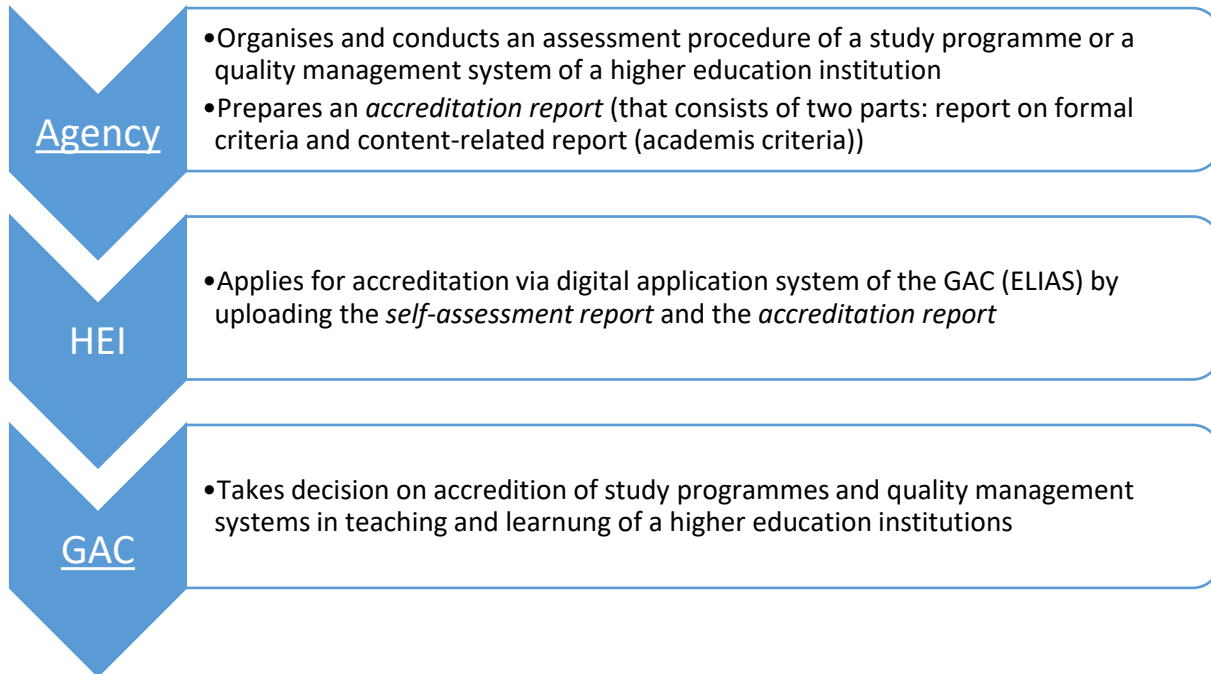
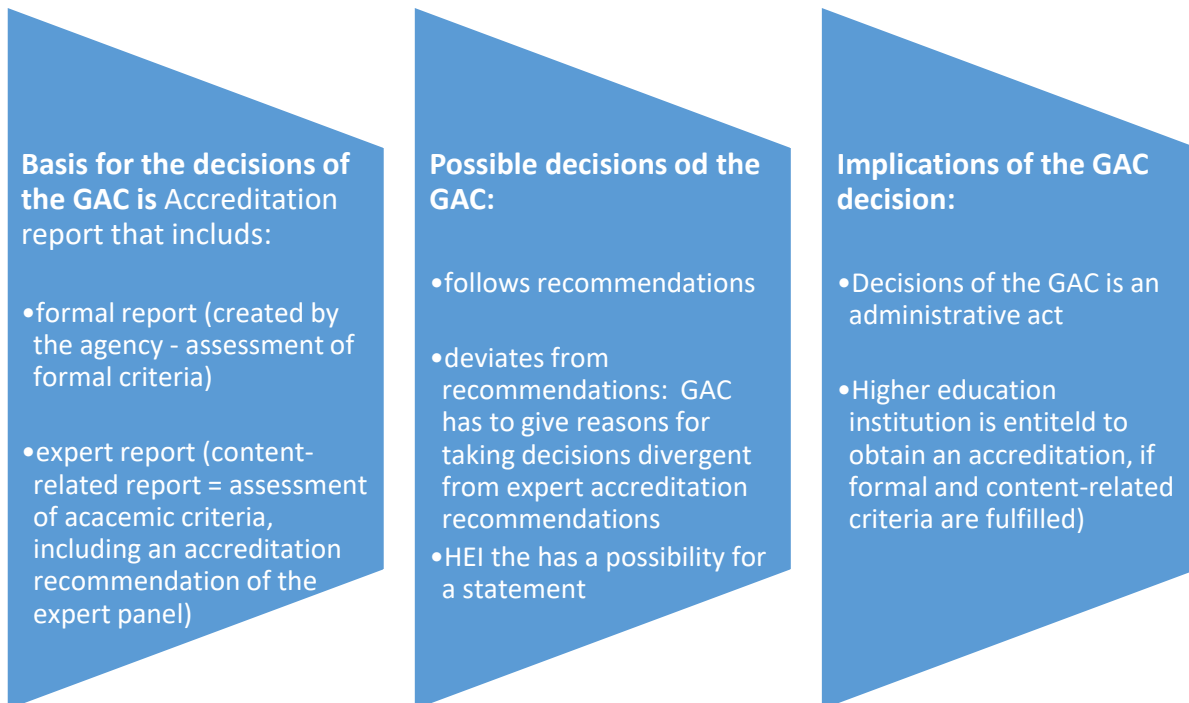


Figure 1: Tasks and responsibilities in the context of the Interstate Study Accreditation Treaty, Specimen Decree

The accreditation agencies and their accreditation commissions have no longer the authority to decide on the outcome of the accreditation of national study programmes as well as on the accreditation of quality management systems of national HEIs. For accreditation they now apply directly to the GAC by submitting the accreditation report as well as the self-assessment report through a digital application system. The accreditation decision is taken by the GAC and is an administrative act.



*Figure 2: GAC Decisions*

At the decision-making stage, a clear distinction is always made between the accreditation recommendations of the expert panel and the agency which are presented in the accreditation report on the basis of the criteria on the one hand, and the decisions taken by the GAC, on the other. These accreditation recommendations act as a reference point for the GAC decision: the GAC can agree with the recommendations or disagree and either delete or impose additional conditions. Any decision taken by the GAC is explained in detail and documented in a form that allows to see the decision recommendations formulated in the report of the agency, final decision of the GAC and as well as justification for taking this decision. Analysis of this process and the decision-making practice of the GAC is of the topic of this thematic analysis.

Working practices of the GAC have repeatedly been a topic at ACQUIN's workshops over the last years. To reflect its own work applying the new regulations in Germany, ACQUIN has carried out in 2020 a first thematic analysis on "The Decision-Making Practice of GAC" to review whether the criteria of the specimen decree have been applied by the expert panels in an appropriate way or whether changes are necessary due to different interpretations of the criteria between GAC and the experts. This ongoing thematic analysis is based on the analysis of assessment reports and the final decision taken by the GAC. The main purpose of the

analysis is to identify cases, where GAC decisions differ from the decisions suggested by the expert panel, to examine the justification given for the GAC alternative decision, as well as to detect and analyse the emerging patterns and their implications and reflect the agency's work.

The first results of this analysis have been presented at the general assembly of the ACQUIN members on July 23<sup>rd</sup>, 2020. This thematic analysis is conceptualised as an ongoing project, with built-in interchange of information between ACQUIN and internal as well as external stakeholders.

### **3. Data**

In 2019, ACQUIN has conducted evaluation of 206 study programmes according the new law (32 of them are first-time accreditations). In the period until June 2020, evaluation of additional 79 (15 first-time accreditations) study programmes have been completed by the agency. At the point of time when analysis has been conducted final decisions of the GAC regarding accreditation of 174 study programmes had been published. The presented analysis is based on these cases. Thus, each study program represents a case.

### **4. Analysis und Results**

As is indicated above the majority of the cases are re-accreditations. In this context, it is not surprising, that in 75 % of the cases, the expert panels have recommended accreditation without conditions. Correspondingly, accreditation with conditions has been suggested for 25 % of study programmes (in 15 % conditions to formal criteria, in 11 % conditions to academic criteria). This relatively small percentage could be seen an indication that the HEI are already well experienced in the implementation of the criteria.

ACQUIN's accreditation commission – is the agency's own decision-making body. Even though, in the procedures conducted according to the new law the Accreditation Commission has no decision making power, it could be involved in the procedures as an additional quality assurance mechanism. In cases when HEI presents additional statement that needs to be taken into consideration or when situation is interpreted in a way that the position of an expert-panel contradicts with the autonomy of a HEI, the Accreditation Commission is asked to examine the case and make a statement. IN these cases, the accreditation recommendation

of the expert panel in the accreditation report is not modified, but it is supplemented by the statement of the accreditation commission. This is included in the accreditation report under the category “General Notes” so that the statement of the accreditation commission can be clearly distinguished from the accreditation recommendation of the expert panel.

Suggestions of the accreditation commission to modification of the recommendations given by the expert panels could be grouped in the following groups:

- Deletion of a condition has been suggested for 2 study programmes, based on the statement provided by the HEI. The GAC has later followed the recommendation of the ACQUIN’s Accreditation Commission for the deletion of the condition.
- Modification of a condition has been recommended for 1 study programme, based on the statement of the HEI. The GAC followed this suggestion of modification.
- Additional condition recommended for 1 study programme. The recommendation has been suggested concerning the ability to complete the study programme within the defined standard period of time. This aspect has been later addressed by the GAC. The statement of the HEI clarified the issue. As a result, no additional condition by the GAC followed.

Analysis of the conditions suggested by the expert-panels, allows assigning these to the following key topics:

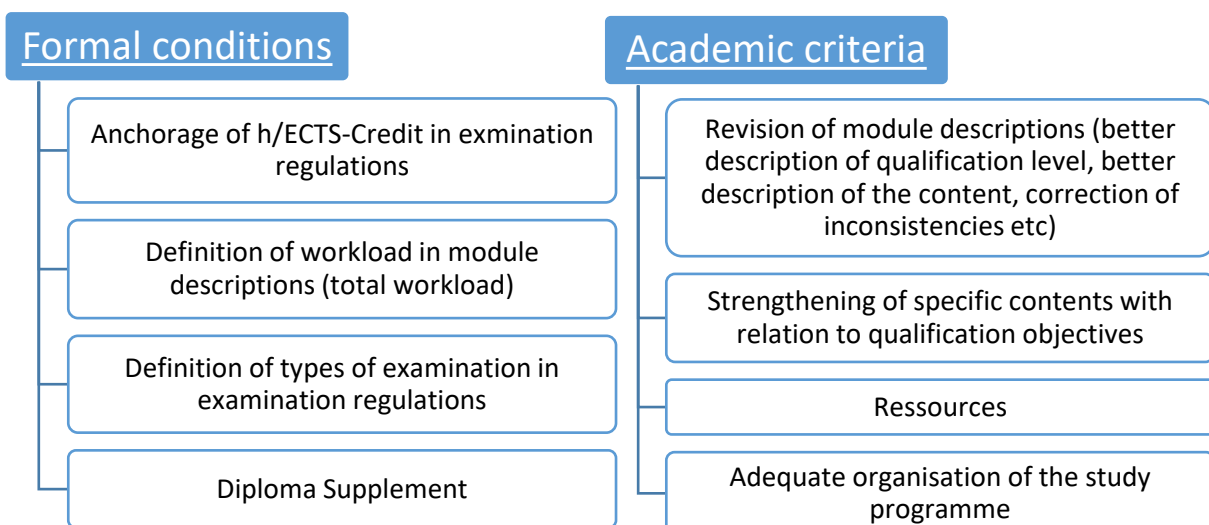


Figure 3: Recurring Conditions



The GAC has modified the accreditation recommendation of the expert panels and ACQUIN's Accreditation Commission for 24 study programs (in 13% of the analysed cases).

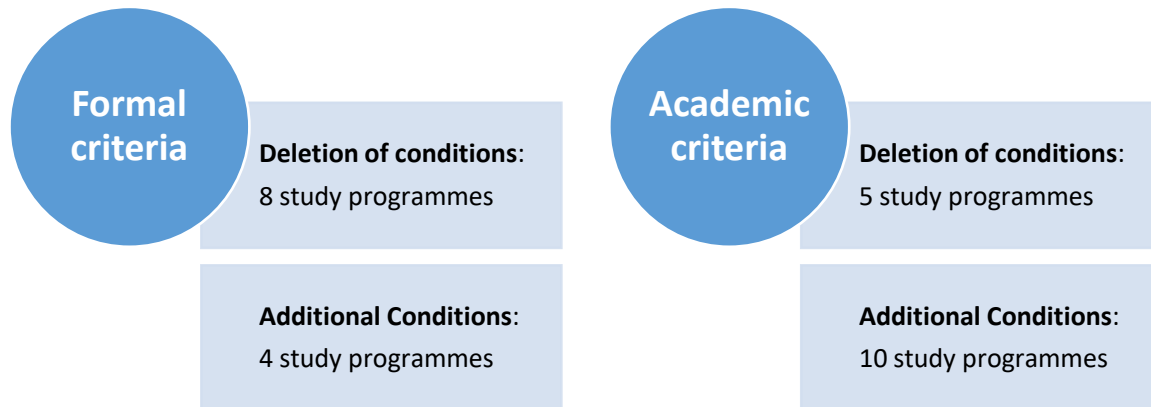
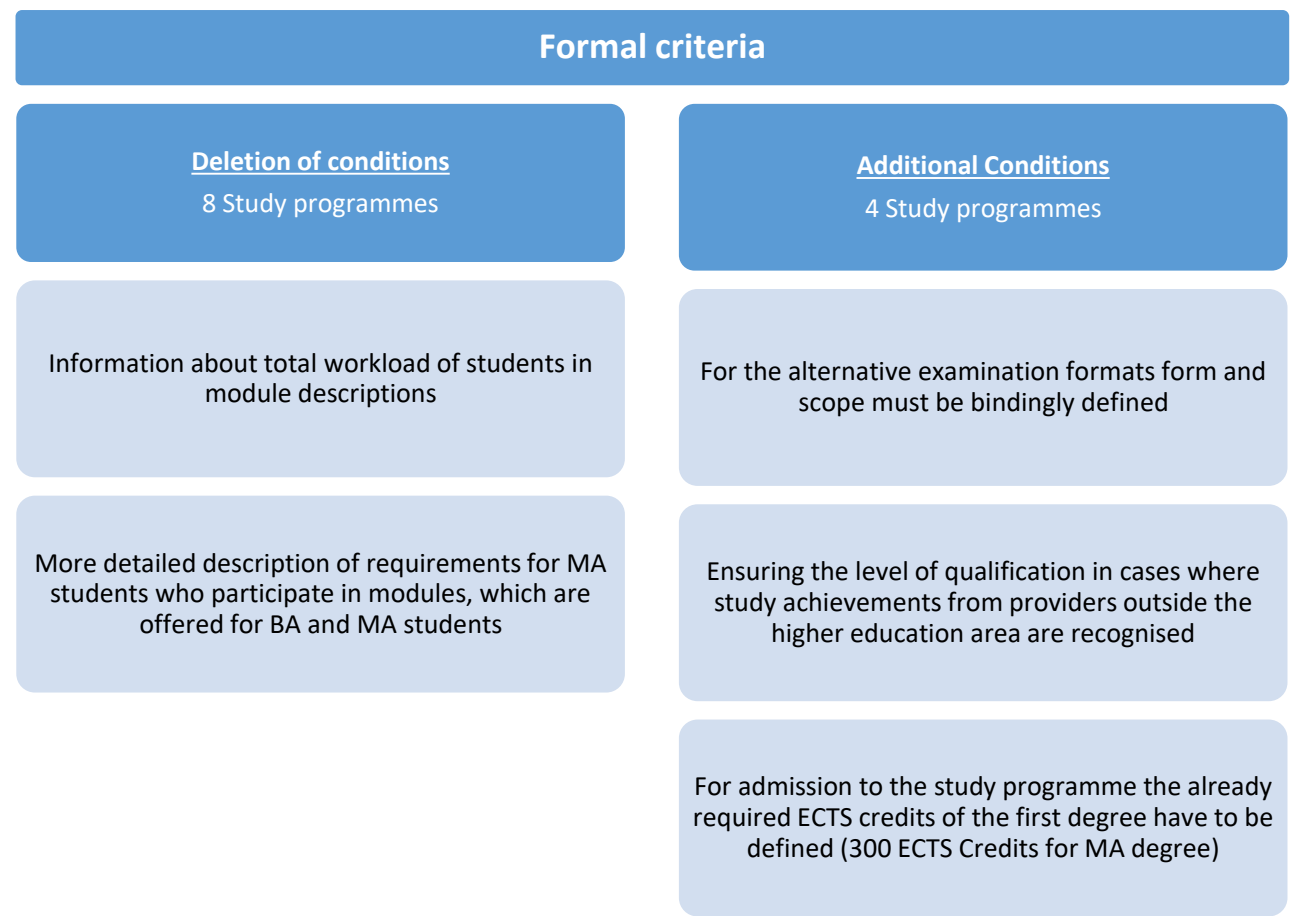


Figure 4: Number and type of deviations



Academic criteria	
<u>Deletion of conditions</u> 5 Study programmes	<u>Additional Conditions</u> 10 Study programmes
English translation of examination regulations for international students	Ressources (ensuring teaching by professors, ensuring of a specific discipline for the accreditation period)
More detailed description of learning outcomes in module descriptions	Cooperation agreements (Ensuring that the academic responsibility is with the higher education institution)
Accordance of study programme title and content	Content of modules which are offered by institutions of the professional practice, quality assurance of those offerings and ensuring the respective academic level
Description of module prerequisites	Strengthening of specific disciplines in study programmes and anchoring of learning outcomes in examination regulations
Timetable for new available resources (technical equipment and staff)	Specific study programme structure (part-time, extra-occupational, etc.), anchoring of the specific study programme profile in the objectives of the programme and module descriptions, where applicable Modulbeschreibungen
	Systematic surveys on average of duration of study of students, and success rate
	Confirmation of professional recognition (for regulated professions)

Additionally, to accreditation recommendation for the study programme, expert panels often give recommendations for the further development of study programmes. It has been observed that the GAC does not always consider these suggestions when taking accreditation decision (for this form of additional feedback the term “recommendation” , which was used under the old regulations, is not defined in the new regulations and therefore not applied). However, in special cases, if the GAC finds these notes of expert panels important, they are attached to the accreditation decision as additional notes of the GAC.

Additional notes of the GAC have concerned the following areas:

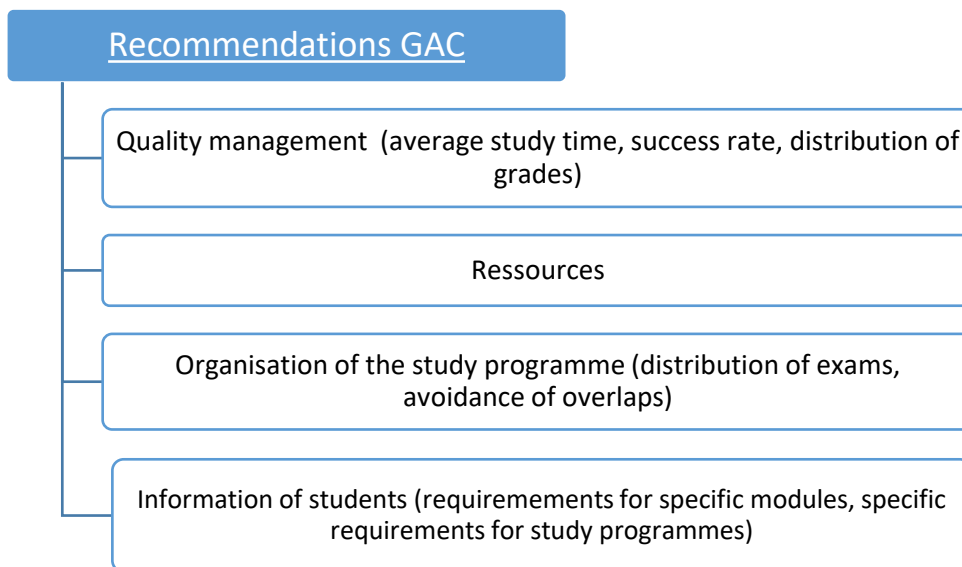


Figure 5: Recurring recommendations of the GAC

It should also be noted that the additional notes are also done by the GAC not only on the basis of the suggestions made by the expert panels, but also on the basis of the analysis of the agency’s accreditation report.

## 5. Conclusion

Results of the analysis indicate that the work of ACQUIN as a partner of HEI has a positive impact.

It could be also stated that the experts are well familiarised with the new regulations and the criteria of the specimen decree (formal and academic criteria) and apply them appropriately.

Another important observation is that the new regulations offer in some cases more flexibility in formal criteria compared to the previous regulations (e.g. h/ECTS definition is also possible in the module catalogue if this is an attachment to the examination regulation instead of a integrating it directly in the examination regulation ).

At the same time, greater attention to respective specific requirements for study programmes with a special profile (part-time, continuing education, extra-occupational), cooperation with non-university institutions is being paid by the GAC. Additionally, a stronger focus on assessment of resources (sustainability, condition to increase number of professors instead of proving, that learning and teaching is ensured at an appropriate scientific level by the institution, which implies strengthening of this criterion).

According to the results out of this first analysis supporting documentation will be regularly revised and if necessary new guidelines created to specific topics.

It is also important that HEIs are informed about the changes in the application of criteria, scope for interpretation as well as about aspects important for the preparation of the self-assessment report (e.g. with regard to formalities such as diploma supplement, design of dual study programmes, cooperation agreements etc.).

The following questions remain still open:

- Should recommendations (notes) of the expert panel for the further development of the study programme be marked extra as recommendation in the report or would a note in the report without extra mentioning separately be sufficient?
- Will these recommendations of the expert panel considered in the assessment of the respective study programme in the reaccreditation procedure, even if the GAC has not included this as a "note" in its resolution?
- Are there disciplinary differences in the evaluation of the criteria by the expert groups and the GAC? Are the criteria also suitable for study programmes with completely new innovative concepts?

The analysis presented in this paper is the first step of a long-term project. The data available gave a first overview on a general level. ACQUIN will continue this thematic

analysis in order to further reflect on its own work, but also to gain further insights into the applicability of the criteria.