

Rules of Procedure for Alternative Accreditation Procedures

5 Resolution of the Accreditation Council dated June 4, 2019

Preliminary Remarks

The guiding principle of the alternative procedures is to open up the accreditation system in order to enable higher education institutions to explore new avenues in external quality assurance.

10 As outlined in Chapter 1 of the Explanatory Memorandum to the State Treaty on Study Program Accreditation, the current accreditation law is designed to ensure the compatibility of the accreditation system with the standards and guidelines for quality assurance in the European Higher Education Area (ESG) agreed upon at the European level. The accreditation of an alternative procedure implies that the ESG must be adhered to in the alternative procedures both at the internal

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§ 1 Scope of Application

These regulations govern, pursuant to § 34(4) MRVO⁽¹⁾, the accreditation of procedures under Art. 3(1)(3) of the State Treaty on Study Program Accreditation (alternative accreditation procedures).

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Section 2 Subject Matter

(1) The subject matter of these procedural regulations is the accreditation of alternative procedures pursuant to Article 3(1)(3) of the State Treaty.

25 (2) Alternative procedures serve to ensure and develop quality in studies and teaching (see § 34(1) MRVO). They should be suitable for gaining fundamental insights into alternative approaches to external quality assurance beyond program and system accreditation (see § 34(3), sentence 4 MRVO).

¹ The version of the statutory regulation in force in the respective state shall apply.

- (3) In the accreditation of alternative procedures, assessment and evaluation results from previous accreditations may be taken into account in accordance with § 5 and § 9 of these procedural rules.

5 **§ 3 Requirement for Approval**

- (1) Before the application for approval is prepared and submitted to the competent science authority and the Accreditation Council, a consultation meeting is held between the institution seeking accreditation and the Accreditation Council Foundation. The science authority must be informed. The meeting takes place on
10 invitation of the Accreditation Council Foundation, after the institution has informed the Accreditation Council Foundation of its intention. It is not possible to submit an application without a preliminary consultation.
- (2) Before implementing an alternative procedure, the approval of the competent science authority and the Accreditation Council must be obtained (Section 34(3), sentence 1
15 MRVO).
- (3) A prerequisite for the Accreditation Council's approval is the submission of an application that
1. generally describes the proposed alternative procedure, including a timeline for its implementation,
 - 20 2. specifies the form and scope of the self-evaluation report envisaged in the alternative procedure in accordance with Art. 3(2), sentence 1, no. 2 of the State Treaty,
 3. the significant involvement of external independent experts from social sectors relevant to quality assurance, in particular representatives from academia and professional practice, as well as
25 Students, as described in Art. 3(2), sentence 1, no. 3 of the State Treaty,
 4. explains how, where applicable, the participation and consent requirements pursuant to § 25(1), sentences 3 through 5 of the MRVO are observed,
 5. describes the form and the body responsible for issuing an expert opinion with recommendations for decisions and evaluations in accordance with the standards set forth in the MRVO
30 in accordance with Art. 3(2), sentence 1, no. 4 of the State Treaty,
 6. explains how the participation of university faculty members with relevant expertise is organized in accordance with Art. 3(2), sentence 1, no. 5 of the State Treaty,
 7. outlines the fundamental findings expected regarding alternative approaches to external quality assurance pursuant to § 34(3), sentence 4, MRVO, and

8. describes the procedure for awarding the Accreditation Council's seal to the university's degree programs.

The description referred to in item 1 must also specify how the proposed procedure is structured in detail and how quality assurance in studies and teaching is implemented under

5 Compliance with Parts 1 through 3 of the ESG, Parts 2 and 3 of the MRVO, and Art. 3(2), sentence

1 of the State Treaty.

- (4) For consideration by the Accreditation Council, the approval of the scientific authority pursuant to § 34(3), sentence 1, MRVO is deemed to have been granted by the competent scientific authority's forwarding of the application to the Accreditation Council.

10 (5) The Accreditation Council may initiate an external review, which is generally conducted on the basis of the file.

§ 4 Agreement

15 (1) After approval has been granted, the details regarding the evaluation and the implementation of an alternative procedure in an agreement to be concluded between the Accreditation Council Foundation and the applicant institution.

- (2) The agreement shall generally also include the following points:

1. Obligations of the institution
- 20 2. Obligations of the Accreditation Council Foundation
3. Support from the Accreditation Council Foundation
4. Individual agreements
5. Amount and Due Date of Fees

25 (3) The Accreditation Council decides, following prior consultation with the higher education institution, institution, on the final version of the agreement. If the institution does not sign within a reasonable period specified in the decision, the approval pursuant to § 3 automatically expires.

§ 5 Conduct of the Procedure (Review Procedure)

30 (1) The evaluation of an alternative procedure shall be conducted in accordance with the requirements set forth in Article 3(2), sentence 1 of the State Treaty. The evaluation shall ensure that the formal and substantive criteria of the MRVO are met.

- (2) The institution shall submit a self-evaluation report based on the application pursuant to § 3 (3), which shall contain at least the information required for this application. This

serves as the basis for the evaluation of the alternative procedure. The evaluation process involves external, independent experts from the social sectors relevant to quality assurance, in particular representatives from academia and professional practice, as well as students

5 students.

(3) The evaluation of the alternative procedure is subject to the principles regarding appropriate academic participation set forth in the State Treaty and in the MRVO, as well as the requirements for participation and consent pursuant to § 25 (1), sentences 3 through 5, MRVO.

10 (4) The Accreditation Council may conduct the evaluation procedure or parts thereof; it may delegate these activities to third parties.

§ 6 Application for Accreditation (Application Procedure before the Accreditation Council)

(1) The Accreditation Council decides on accreditation upon application by the institution of higher education

15 by establishing the equivalence of the alternative procedure to the procedures under Art. 3, sentence 1, nos. 1 and 2 of the State Treaty. The application includes the self-evaluation report required under § 5(2), the expert opinion with recommendations for a decision and evaluation as the result of the review process, and, if applicable, the university's statement. The application must be submitted via the competent science authority

20 to the Accreditation Council.

(2) Upon accreditation, the Accreditation Council grants the alternative program the seal of the Accreditation Council Foundation. The institution thereby obtains the right to award the seal to its own degree programs, provided that these successfully complete the review process prescribed in the accredited program for degree programs

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(3) Accreditation of the alternative procedure is limited to a maximum of eight years. It may be granted subject to conditions.

(4) If the implementation of the alternative procedure is not limited to a specific period but is designed as a continuous process, the Accreditation Council may grant an acc-
30 grant accreditation with reservations (conditional accreditation) for the duration of the accreditation period. Conditional accreditations require the institution to fulfill expanded reporting obligations throughout the entire accreditation period. Ongoing procedures are subject to special monitoring by the Accreditation Council. Reporting obligations and monitoring are specified in the agreement pursuant to § 4.

35 (5) The decision is issued by administrative act.

- (6) The Accreditation Council's approval decision, the expert opinion, and the decision on the awarding of the seal shall be published in the central database of accredited degree programs and system-accredited institutions of higher education.

5 § 7 Monitoring by the Accreditation Council

- (1) The Accreditation Council provides support for the alternative procedure. It may entrust its members, employees of the Foundation's office, or expert third parties with providing such support in whole or in part.
- (2) Upon agreement, it shall have access to the documents to be submitted within the framework of the alternative procedure
- 10 . The Accreditation Council may participate in all procedural steps taking place within the framework of the alternative procedure.

§ 8 Fees

- 15 The Accreditation Council Foundation charges fees in accordance with its fee schedule, as currently in effect, which is published in the Official Gazette of the State of North Rhine-Westphalia and on the Foundation's website.

§ 9 Evaluation

- 20 (1) As a rule, two years before the expiration of the accreditation period, the alternative procedure is evaluated by an independent, academic institution that reports to the Accreditation Council. The Accreditation Council may specify issues and quality objectives to be examined in the evaluation; the institution may add its own issues and quality objectives. The agencies listed in the EQAR are
- 25 independent academic institutions within the meaning of § 34(5), sentence 3, MRVO and may conduct the evaluation. The Accreditation Council decides on the admission of other institutions on a case-by-case basis.
- (2) Based on the evaluation results and the findings from the monitoring of the process, the Accreditation Council issues a recommendation as to whether the alternative
- 30 procedure should be continued. In the case of a potential reaccreditation of the alternative procedure, a positive recommendation corresponds to the granting of approval pursuant to § 3. The decision as to whether the alternative procedure should be reaccredited or whether the institution should return to program or system accreditation rests with the institution.

§ 10 Accreditation Deadlines and Extension

(1) An application for approval to implement the alternative procedure must be submitted to the Accreditation Council in a timely manner before the expiration of the validity period of the institution's existing program or system accreditation.

5 (2) As a general rule, extensions of the deadline for program accreditations pursuant to Section 26(3), second sentence, of the MRVO for the purpose of preparing for the accreditation of an alternative procedure are not permitted. This also applies to extensions of the deadline for system accreditations. The Accreditation Council shall decide on exceptions.

10 (3) When applying for accreditation of the alternative procedure, the provisions of § 26(3), sentence 3, MRVO apply accordingly.

§ 11 Breaches of Duty

In the event of breaches of duty prior to the issuance of the accreditation decision pursuant to § 6, the parties may terminate the agreement in accordance with its specific provisions. In the event of non-compliance

15 of obligations after the accreditation decision has been issued, the Accreditation Council may revoke the accreditation in the event of a significant breach of duty after setting a three-month grace period. The revocation of accreditation takes effect at the end of the following semester. Before the accreditation is revoked, the institution is given the opportunity to comment.

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§ 12 Appeal Procedure

The Appeals Commission of the Accreditation Council Foundation is responsible for handling complaints and appeals.