

Substantive Change Report
by the Agency for Quality Assurance and Accreditation Austria
(AQ Austria)

Register Committee

Ref. RC/C09

Ver. 1.0

Date 20/05/16

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| Decision of: | 20 May 2016 |
| Report received on: | 01/03/2016 |
| Agency registered since: | 29/11/2014 |
| Last external review report: | May 2014 |
| Registered until: | 31/05/2019 |
| Absented themselves from decision-making: | |
| Attachments: | <ol style="list-style-type: none"> 1. Substantive Change Report & Guideline for the Notification Processes of Transnational Degree Programmes 2. Clarification Request of 11/04/16 3. AQ Austria response of 25/04/16 |

The Register Committee considered the Substantive Change Report of 1st March 2016.

The Register Committee sought and received clarification from AQ Austria on one matter, referred to below (attached: request of 11/04/2016 and response of 25/04/2016).

The Register Committee took note of AQ Austria's substantive change in the certification of Austrian educational institutions that seek to offer degree programmes in collaboration with (a) foreign higher education institution(s).

AQ Austria's responsibility for the notification process of degree programmes offered by foreign higher education institutions does not constitute a substantive change in the sense of the ESG and it was therefore not addressed.

Taking into account the *Guideline for the Notification Processes of Transnational Degree Programmes*, the Register Committee considered the provisions regulating the certification procedure for Austrian higher education institutions. The Register Committee noted that the certification procedure generally addresses the ESG 2015. It nevertheless found that:

- while ESG Part 1 is generally well reflected in the certification criteria, the inclusion of standards *1.4 Student Admission, Progression, Recognition and Certification* and *1.6 Learning Resources and Student Support* is less obvious from the Guidelines.

- complaints and appeals processes (ESG 2.7) are not directly addressed within the certification guidelines. In its clarification letter (of 25/04/2016), AQ Austria informed the Committee that the applying institutions are notified about the complaints procedure during the preparatory meetings and that the agency will revise its Guidelines so as to include the regulations about the appeals procedure at its meeting in June 2016.

As the Guideline for the Notification Processes of Transnational Degree Programmes were adopted by AQ Austria in November 2014, before the adoption of ESG 2015, it remains to be determined whether the Guidelines fully address the new standards in their criteria and procedures in particular whether they reflect standards 1.4 and 1.6 in Part 1 of the ESG, and include provisions addressing complaints and appeals processes (ESG 2.7).

The next external review of AQ Austria should give attention to this matter

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Subject: Substantive Change Report: AQ Austria
From: "achim.hopbach@aq.ac.at" <form_engine@fs22.formsite.com>
Date: 3/1/2016 6:27 PM
To: substantive-changes@eqar.eu

| | |
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| Reference # | 9260232 |
| Status | Complete |
| Login Username | |
| Login Email | |
| Agency #1 * | AQ Austria |
| Expiry date #1 * | 31/05/2019 |
| Contact #1 * | Dr. Achim Hopbach |
| Phone #1 * | +43 1 532 02 20-13 |
| Email #1 * | achim.hopbach@aq.ac.at |
| Other organisations? * | No |
| A. Has the organisational identity of the registered agency changed? * | No |
| B. Has the organisational structure changed? * | No |
| C.i. Are there new types of activities? * | Yes |
| C.ii. Are there changes in existing activities? * | No |

C.iii. Have some or all existing activities been discontinued? * No

Description new/changed *

As per resolution of 12 June 2014 the National Council passed an amendment of § 27 Act on Quality Assurance in Higher Education (HS-QSG), governing the registration of foreign degree programmes. The new regulation includes three important changes compared to the former regulation:

The degree programmes are no longer due for registration but they are subject to notification (§ 27 para. 1).

The Agency for Quality Assurance and Accreditation Austria (AQ Austria) is responsible for the notification process (§ 27 para. 3).

According to § 27 para. 5, foreign higher education institutions (HEIs) offering a corresponding degree programme in collaboration with Austrian educational institutions require a certification issued by AQ Austria „that ensures that the activities undertaken at the Austrian educational institution and the components of the foreign degree programmes meet international academic standards.“ The certification shall be issued on the basis of an evaluation conducted by AQ Austria according to international standards (§ 27 para. 5).

Notification of foreign degree programmes

At its meeting on 6 November 2014, the Board of AQ Austria issued a guideline on the performance of the processes according to § 27 HS-QSG. During 2015 the first procedures according to the guidelines have been conducted, decisions have been made.

The guideline not only governs the notification process of degree programmes of foreign HEIs in Chapter II, paras. (4) to (6).

In Chapter III, paras. (7) to (35), it also organises the procedure necessary to receive certification according to § 27 para. 5 HS-QSG for Austrian educational institutions, which offers the degree programme or components thereof as the foreign HEI's collaboration partner.

The guideline / process for the conduction of procedures according to § 27 HS-QSG have been developed in the light of the ESG.

Guideline: <https://www.aq.ac.at/en/notification-of-foreign-degree-programmes/notification%20of%20foreign%20degree%20programmes.php>

or: <https://www.aq.ac.at/de/meldung-grenzueberschreitender-studien/meldung-grenzueberschreitender-studien.php>

First decisions: <https://www.aq.ac.at/de/meldung-grenzueberschreitender-studien/entscheidungen.php>

Register: <https://www.aq.ac.at/de/meldung-grenzueberschreitender-studien/Verzeichnis.php>

Actual procedures: https://www.aq.ac.at/de/meldung-grenzueberschreitender-studien/laufende_verfahren.php

Finish Time 2016-03-01 11:27:30

Referrer <https://eqar.eu/register/reporting-and-renewal/substantive-change-report.html>



Agentur für
Qualitätssicherung
und Akkreditierung
Austria

Guideline for the Notification Processes of Transnational Degree Programmes according to § 27 HS-QSG

adopted by the Board of AQ Austria at its 23rd meeting on 6 November 2014



Preamble

Registration of foreign degree programmes in Austria

As per resolution of 12 June 2014 the National Council passed an amendment of § 27 Act on Quality Assurance in Higher Education (HS-QSG), governing the registration of foreign degree programmes. The new regulation includes three important changes compared to the former regulation:

- The degree programmes are no longer due for registration but they are subject to notification (§ 27 para. 1).
- The Agency for Quality Assurance and Accreditation Austria (AQ Austria) is responsible for the notification process (§ 27 para. 3).
- According to § 27 para. 5, foreign higher education institutions (HEIs) offering a corresponding degree programme in collaboration with Austrian educational institutions require a certification issued by AQ Austria „that ensures that the activities undertaken at the Austrian educational institution and the components of the foreign degree programmes meet international academic standards.“ The certification shall be issued on the basis of an evaluation conducted by AQ Austria according to international standards (§ 27 para. 5).

At its meeting on 6 November 2014, the Board of AQ Austria issued a guideline on the performance of the processes according to § 27 HS-QSG, which is attached hereto. The guideline not only governs the notification process of degree programmes of foreign HEIs in Chapter II, paras. (4) to (6).

In Chapter III, paras. (7) to (35), it also organises the procedure necessary to receive certification according to § 27 para. 5 HS-QSG for Austrian educational institutions, which offers the degree programme or components thereof as the foreign HEI's collaboration partner.



I) Scope of the Guideline(1) This guideline regulates the notification process according to § 27 HS-QSG of degree programmes of foreign educational institutions, which is a requisite to offer degree programmes in Austria.(2) A foreign educational institution that is accredited as post-secondary within the meaning of § 51 para. 2 subpara. 1 of the Universities Act in its country of origin or country of domicile, shall have the right to offer its degree programmes in Austria, provided that it is an accredited degree programmes in its country of origin or country of domicile within the meaning of § 51 para. 2 subpara. 1 of the Universities Act, and that these degree programmes and academic degrees are comparable to Austrian degree programmes and academic degrees.

(3) The notification shall be submitted to the Agency for Quality Assurance and Accreditation Austria (hereinafter: AQ Austria) prior to the start of the programme.

II) Notification according to § 27 para. 1 to 4 HS-QSG

(4) The foreign educational institution must submit to the Board of the AQ Austria (hereinafter: Board) official documents certifying that

- the educational institution is accredited as post-secondary within the meaning of § 51 para. 2 subpara. 1 of the Universities Act in its country of origin or country of domicile, together with the legal basis of this accreditation
- as well as the accreditation of the degree programme in question in the country of origin or country of domicile, together with the legal basis of this accreditation,

The notification shall be submitted together with the documents to the Secretariat of the AQ Austria (hereinafter: Secretariat).

(5) If the foreign educational institution meets the requirements according to (2), the Board shall, according to § 27 para. 6 HS-QSG, record the educational institution and the corresponding degree programme.

(6) Pursuant to § 27 para. 5 HS-QSG, a foreign educational institution according to (2) planning to offer a degree programme in collaboration with an Austrian educational institution, must, in addition to the documents listed under (4), submit a certification that ensures that the activities undertaken at the Austrian educational institution and the components of the foreign degree programmes meet international academic standards.

III) Certification according to § 27 para. 5 HS-QSG

(7) The certification according to (6) is to be issued by AQ Austria upon application on the basis of an evaluation according to international standards and is valid for six years.

Application for certification

(8) The application for certification shall be submitted by the corresponding Austrian educational institution (hereinafter: applicant institution) to the Board of AQ Austria.

(9) The application shall denominate the applicant legal entity and must be signed by its legal representative. The application must furthermore denominate the foreign educational institution in collaboration with or for which the degree programme or components thereof are to be offered; if the applicant institution is a legal entity governed by private law, an excerpt from the company register or register of associations shall be submitted as well.



(10) The application shall be submitted in writing as well as electronically to the Secretariat.

(11) The application shall include all information and documents that serve to prove the fulfilment of the criteria listed under (34).

(12) In order to conduct the evaluation, the applicant institution and AQ Austria shall enter into an agreement about the application of this guideline and the particular rights and duties.

Verification of the application

(13) The Secretariat checks the sufficiency of the filed applications and formally verifies them. In the event of deficiencies that are considered remediable, modification is requested.

(14) For the purpose of simplification, the Board may jointly assess multiple applications of one applicant institution, especially if the disciplinary closeness of the corresponding degree programmes (or components) allows the involvement of the same reviewers.

(15) Where applicable, the Board shall take into account existing results of external quality assurance procedures of the corresponding degree programme in the evaluation procedure, provided that the quality assurance agency is listed in EQAR or full member of ENQA, and that the external quality assurance procedure provides information on the fulfilment of the criteria listed under (34). In that case, the Board may decide against an involvement of reviewers.

Reviewers

(16) As a rule, the Board appoints three reviewers for the verification of the application and ensures that all aspects relevant for the process are assessed. The Board may decide against an involvement of reviewers if considered unnecessary for the verification of the application. Especially, if information according to (15) are at hand, this is a possible option.

(17) In the composition of the expert panel, AQ Austria shall, in due consideration of the profile of the degree programme and the individual needs, take into account the following fields of competence:

1. a proven relevant scientific qualification;
2. didactic experience as well as experience in the development, implementation, and evaluation of curricula;
3. relevant research and knowledge of the higher educational research system;
4. vocational practice and knowledge of the vocational field;
5. up-to-date student experience in a relevant study programme
6. proven international experience;
7. experience in quality management and quality assurance in the higher education area;

(18) The reviewers shall declare in writing that there are no grounds for prejudice, that they are independent and unbiased, and that they will keep confidential all information received and lessons learned in the course of their reviewing activities.

(19) In the composition of the expert panel, the Board shall be mindful of diversity and a balanced gender ratio.



(20) The Secretariat shall inform the applicant institution of the expert panel and grant a period of two weeks for possible objections due to partiality or lack of independence. Objections shall be substantiated in writing. The applicant institution has no right of proposal. The Board shall investigate any objections to partiality or lack of independence and, as the case may be, appoint new reviewers.

On-site visit

(21) The evaluation entails an on-site visit within the applicant institution. The Board may decide against an on-site visit if considered unnecessary for the verification of the application.

(22) As a rule, an on-site visit takes a day and serves to verify the information provided by way of the application documents, and furthermore to assure that the criteria according to (34) are met.

(23) Regarding the concept and procedure of the on-site visit, the following principles apply:

1. The procedure is adapted to the specific requirements of the process and co-ordinated with the applicant institution.
2. The reviewers, a representative of the Secretariat as well as of the applicant institution shall participate in the on-site visit. The applicant institution may choose its own representative while ensuring that competent contact persons are available for all subject areas.
3. The procedure ensures that all relevant groups of the applicant institution are sufficiently heard and that each group are given the possibility to portray their position in a free and uninfluenced way.

Review report

(24) The expert panel shall draw up a joint report including statements as well as an evaluation concerning the criteria listed under (34).

(25) In drawing up the review report, the expert panel shall maintain the diversity of the reviewers' opinions while at the same time aiming at a consensus on a basis that is as broad as possible in order to articulate an overall evaluation. As far as differences of opinion in questions of detail cannot be sorted out, they must be made transparent in the review report.



Comment on the review report

(26) After the Secretariat passed on the review report to the applicant institution, it is given the opportunity to comment in writing on the review report within two weeks.

Decision and validity period

(27) The Board's decision shall be based on detailed deliberation and takes into consideration the documents submitted together with the application and, if applicable, the review report, the applicant institution's comment and information pursuant to (15).

If the applicant institution fulfils the criteria, the Board shall decide positively and issue the certification. If the applicant institution fails to fulfil the criteria, the Board shall decide negatively and deny certification. In case of deficiencies, which in the Board's view can be remedied within nine months, the Board may issue a certification with conditions. If these conditions are not fulfilled (in due time), the Board shall revoke the certification. A certification is valid for a period of six years.

Publication of the report of the outcome

(28) After the notification process is completed, AQ Austria shall publish a report on the outcome of the procedure, which shall include the review report, the applicant institution's comment (upon the institution's approval), the decision of the Board including the reasons for the decision as well as, as the case may be, any conditions. It shall furthermore denominate the HEI awarding the academic degree, the Austrian HEI, the degree programme as well as the academic degree to be awarded, and the location at which the degree programme is offered. The report on the outcome shall be published on the applicant institution's website. Personal data, funding sources as well as trade or industrial secrets are exempt from publication.

Costs

(29) The applicant institution shall reimburse AQ Austria for the costs for the reviewers. Following § 20 HS-QSG, furthermore a fixed expense allowance is charged. The obligation to pay the fixed expense allowance arises upon presentation of the (revised) documents according to (13), and matures at the completion of the procedure.

The costs for the reviewers add up to an expense allowance of EUR 1,500 per reviewer, plus EUR 300 for the chairperson as well as travel and accommodation expenses. The fixed expense allowance totals EUR 6,000. In the event that no reviewers are involved due to the sufficient provision of information pursuant to (15), the fee for the process is reduced adequately corresponding to the lesser procedural effort.

Changes relevant to certification

(30) Changes of one of the following items listed in the certification require an amendment of the issued document:

1. providing body



2. denomination of the educational institution
3. denomination of the degree programme offered (partly) by the applicant institution
4. location(s) at which the degree programme is realised

(31) The application for an amendment of certification shall be addressed to the Board and submitted in written form as well as electronically to the Secretariat. It must include all information and documents that serve to prove that the amendment is permissible in view of the certification criteria.

(32) If the Board considers an external evaluation necessary for the decision on the amendment of the official notification, the regulations of this guideline apply.

(33) If the Board considers that the criteria are still met, the certification continues to be valid. The expiry date of the certification according to (28) is not affected. In the event that the Board no longer considers the criteria to be met, the certification is revoked.

Criteria

(34) The certification shall be issued pursuant to the following criteria:

1. The applicant institution is domiciled in Austria.
2. The applicant institution shall, if not already done by the foreign educational institution, make legally binding arrangements for the degree programme it (partly) offers, in any case concerning the following matters:
 - responsibilities for all matters regarding the realisation of a degree programme;
 - ensuring freedom of sciences and their teaching;
 - workload of the students related to the respective institutions;
 - admission and selection procedure and criteria;
 - setting of the curricula and examination regulation(s) to be applied;
 - teacher and student co-determination in respect of academic matters regarding the degree programme.

3. Range of Studies

a. By way of an adequate organisation of its components of the degree programmes with regards to didactics and content, the applicant institution shall ensure that the students are guided towards self-dependently acquiring professional and interdisciplinary competencies, and consequently contribute to meeting international academic standards and the defined learning outcomes.

b. The applicant institution shall ensure that the actual student workload of the components of the degree programme it offers meet the curriculum's requirements.

c. Die applicant institution shall ensure that the organisation and the workload of the components of a degree programme for working professionals it offers are compatible with an employment.



d. The applicant institution shall ensure that the examinations of the components of the degree programmes it offers are suitable for assessing whether or not the defined learning outcome was met.

e. Corresponding to the orientation of the components of the degree programmes offered by the applicant institution, the students are involved in an adequate way in research and/or development activities.

f. Additionally, for doctoral degree programmes or components thereof the following criteria apply:

- The applicant institution shall establish an adequate research environment, allowing for an intensive contact of the doctoral students with the actively researching scientific staff as well as offering possibilities for inter and extra institutional co-operation.
- The applicant institution shall ensure that a sufficient number of scientific established staff with corresponding professional qualifications (post-doctoral lecture qualification or equivalent), recognised scientific activities, and experience in the supervision of doctoral students is available for the doctoral degree programme or components thereof. For the independent supervision of doctoral students it is mandatory that they are fully authorised to teach the scientific subject.
- The teaching and supervisory services within the scope of the doctoral degree programme or components thereof are achievable for the scientific established staff at the applicant institution in addition to any other teaching, research, and administrative activities, in view of the estimated number of doctoral students. A guide value of a maximum of 5-6 doctoral students per supervisor is regarded as an adequate student ratio.

g. Whenever E-Learning, Blended Learning and Distance Learning is used for a (component of the) degree programme offered by the applicant institution, adequate didactic, technical, organisational, and financial requirements are fulfilled to ensure that the qualification goals are reached.

4. Staff

a. The applicant institution shall ensure that a sufficient number of teaching staff is available, that is scientifically and/or technically renowned as well as pedagogically and didactically appropriately qualified for teaching (components of) the degree programme according to its profile.

b. Whenever the entire degree programme is offered by the applicant institution, the main scientific staff assigned to the degree programme includes at least one full-time employee, who has the necessary relevant qualification for the appointment as a university professor, as well as a minimum of two more persons having at least a PhD with no less than half-time employment. If the applicant institution only offers a component of the degree programme, the minimum requirements relating to the assignment of the full-time employed staff may be reduced.

5. Quality Assurance

a. The applicant institution offering the degree programme or components thereof shall implement a periodic quality assurance and improvement procedure taking into account the



study, the study conditions, and the organisation, and involving all relevant groups as well as external experts. The purpose of quality assurance shall be to ensure that the (components of the) degree programme offered by the applicant institution correspond to international academic standards.

b. Tools for quality assurance and the improvement of (the component of) the degree programme as well as a reporting system are integrated into the quality assurance system of the foreign educational institution awarding the academic degree.

c. Students have the possibility to participate in an institutionalised manner in a reflection about the study, study conditions and its organisation.

6. Infrastructure

The premises and equipment necessary for studying at the applicant institution are available.

7. Information

The applicant institution shall inform the students sufficiently about the study regulations of the components of the degree programme it offers, especially of the fact that a listing in the record pursuant to § 27 para. 6 shall not mean equivalence to Austrian degree programmes and the corresponding Austrian academic degrees.

Prolongation of certification

(35) The procedural rules and criteria of this guideline apply to the prolongation of the certification.

IV) Entry into force

This guideline shall enter into force on 7 November 2014.

– by email –

Brussels, 11 April 2016

Substantive Change Report – Clarification Request

Dear Achim,

We wish to thank you for the Substantive Change Report of 1 March 2016. Your report has been reviewed by two rapporteurs before being brought to the attention of the entire EQAR Register Committee.

In order to prepare consideration by the Committee, we would be obliged if you could clarify the following query.

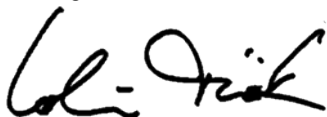
We note from the Substantive Change Report that AQ Austria carries out a new certification procedures of degree programmes offered by Austrian higher education institutions together with foreign institutions.

As this is not addressed in the Guideline for the Notification Processes of Transnational Degree Programmes can you please clarify whether complaints and appeals processes are available to higher education institutions for the certification procedure, and how they are communicated to the reviewed higher education institutions?

In order to expedite proceedings we kindly ask you for a reply **by 25 April 2016**. Please inform us if any difficulties arise in meeting this deadline.

I shall be at your disposal if you have any further questions or inquiries.

Kind regards,



Colin Tück
(Director)

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EQAR
Mr Colin Tück
Email

Vienna, 25 April 2016

Dear Colin,

the observation by the two rapporteurs is correct. When the guidelines for notification of foreign degree programmes were approved in November 2014 we forgot to explicitly mention the appeals procedure.

So far we informed the applying institutions about the complaints procedure during the preparatory meetings which take place after submission of the notification request. Currently one appeals procedure is dealt with by our complaints committee.

Based on the experience of the first round of evaluations pursuant to the guidelines the Board of AQ Austria will revise the guidelines at its June meeting. We will add the regulations about the appeals procedure.

I hope this information is helpful.

Kind regards

A handwritten signature in blue ink, appearing to read 'A. Hopbach'.

Dr. Achim Hopbach
Managing Director