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TWINNING AZERBAIJAN

Support to the Ministry of Education of the Republic of Azerbaijan for Further Adherence of the Higher Education System to the European Higher Education Area (AZ-ad-EHEA)

AZ/14/ENP/OT/31

EU Short Term Expert Mission Report

1. Basic Information

Component and Activity:

Component: 1. Legal and Regulatory

Activity: 1.2 Revisions of the Legislative Framework

Name of the Experts: Ms Helka Kekäläinen, Ms Lagle Zobel

Dates of the Mission: 7 – 11 November 2016

Contractor: Finnish Education Evaluation Centre (FINEEC) /
Estonian Quality Agency for Higher and Vocational Education (EKKA)



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2. Relevant Background Information/State of Affairs

As a result of the previous mission of Activity 1.2 that took place on October 31 – November 4, 2016, the STEs gave MoE a recommendation to include in the Statute of HEIs the basic principles of quality assurance and accreditation, including the object of accreditation (institutions or study programs or both); accreditation period; accrediting body and its general formation principles, composition (incl. limitations); and consequences of a negative accreditation.

In order to ensure the continuity between licensing/opening a new study program and accreditation, the STEs also recommended that the quality requirements for opening new HEIs and new study program should be in accordance with the requirements later taken into account for accreditation.

Recently, the Accreditation and Nostrification Office of the MoE (ANO) has introduced new drafts of Accreditation Rules of Higher Education Institutions (Accreditation Rules) and Standards determining the compliance of the activity of institution with the requirements of state education standards (Accreditation Standards). These drafts should be forwarded to the Cabinet of Ministers for approval during the year 2016.

3. Objectives and Tasks of the Mission

The main objectives of the Mission were:

- Identification and comprehensive discussion of ANO's main areas of regulation in the light of the Standards and Guidelines for Quality Assurance in the European Higher Education Area (ESG) and the Accreditation Manual for Pilot Evaluations (Accreditation Manual).
- Discussion of other specific areas of interest for ANO.
- Formulation of concrete recommendations for the input into the draft Accreditation Standards and Accreditation Rules.

4. Time Schedule of the Mission

Date	Activities/Meetings BC experts met (title and institution)	Remarks
7.11.2016	<ul style="list-style-type: none"> - Meeting of STEs - Meeting at the MoE. Overview of last week's mission outcomes regarding the general legal framework regulating the accreditation process other specific areas of interest for ANO regarding their procedures. Discussing the status of ANO regulations. Division of discussion topics. Participants from MoE: Elshan Nuriyev, Tarana Mammadova, Aygun Mammadzade, Tofiq Ahmadov, Tofiq Mustafayev, Konul Fatiyeva, RTA team.	-



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8.11.2016	Workshop and discussion with the MoE HE and ANO experts on the theme of identification and comprehensive discussion of ANO's main areas of regulation in the light of the ESG. Participants: Elshan Nuriyev, Tarana Mammadova Marziyya Agayeva, Konul Fatiyeva, Tofiq Ahmadov, RTA team.	-
9.11.2016	Due to a public holiday in Azerbaijan, STEs worked in the hotel with written materials.	-
10.11.2016	Continuation of Tuesday's workshop regarding ANO's main regulation areas and the Accreditation Standards. Presentation on other specific areas of interest for ANO. Participants: Elshan Nuriyev, Elmira Manafova, Konul Fatiyeva, RTA team.	-
11.11.2016	- Report writing - Mission review at the MoE Participants: Emin Amrullayev, Tofiq Ahmadov, RTA team.	-

5. Achievement of the Expected Results

The expected results of the mission were achieved. In workshops, ANO draft Accreditation Rules and Accreditation Standards, as well as recommendations were comprehensively discussed. Due to the active participation of ANO, the Higher Education Department and the legal expert, it was possible to critically evaluate the impact and applicability of recommendations.

Remarkable efforts have been made by ANO and the HE Department in reviewing the existing Accreditation Rules and Accreditation Standards. In order to provide further support ANO regarding the improvement of their regulatory framework, we have the following recommendations:

Regarding the Accreditation Rules

1. According to clause 3.1 of the revised ESG, the quality assurance activities undertaken by the agencies should have clear and explicit goals and objectives that are made available to the stakeholders.

At the moment, the object of accreditation is not clear. According to clause 1.2 of the draft Accreditation Rules, accreditation of higher education institutions is carried out by ANO, sub-areas including organization of education process, technical resources, study programs, staff capacity, financial resources and educational infrastructure. The draft Accreditation Standards supports such an institutional approach. However, the rest of the Accreditation Rules repeatedly mentions also study program accreditation. For example, according to clause 6.3 of the Rules, it is also possible to separately accredit individual study programs of the HEI. Discussions with ANO revealed that they are indeed conducting a kind of hybrid accreditation where study program accreditation is carried out separately in parallel with institutional accreditation. In the future, there are plans to separate the two accreditations.



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In order to make the objects (both institutions and separate study programs) of ANO accreditation more clear for the stakeholders, we recommend to also **explicitly mention study program accreditation** in the Statute of HEIs and under the general provisions of the draft Accreditation Rules. In the long term, it is also advisable to implement the plans for making a clear distinction between two different accreditations. Due to the voluminous amount of study programs, the current approach (accrediting the institutions together with study programs) does not allow devoting sufficient attention to the overall quality of the programs and thus, remains inevitably formalistic.

2. Currently, there is no legal framework regarding the possible use of foreign agencies in the accreditation process. We recommend **including the conditions and procedure for the use of foreign agencies** in the Statute of HEIs and mention this possibility also in the Accreditation Rules. Whether or not to officially recognize the results of any kind of cross-border evaluation is obviously a policy decision for the MoE. However, we believe that allowing these kinds of activities would create a positive incentive for further internationalization of the HEIs and also ANO. It would also help to disseminate best practices of other agencies.
3. According to clause 3.3 of the ESG, agencies should be independent and act autonomously. This includes organizational and operational independence and independence of formal outcomes. Currently, ANO enjoys a fair amount of operational independence. However, as ANO is a part of the MoE and the final decisions are made by the Accreditation Council chaired by the minister of education, organizational independence is clearly lacking. As a positive development, the *Action Plan on the Implementation of the National Strategy for the Development of Education in the Republic of Azerbaijan* (Action Plan) already foresees the creation of an independent QA agency.

As soon as the full trust of the Ministry has been gained, we recommend **giving ANO full organizational and operational autonomy** regarding its procedures and formal outcomes of the quality assurance processes.

4. Clause 6.1 of the Accreditation Rules describes the composition of the Accreditation Council. However, neither the number of council members nor the duration of their election period is specified in any legal regulation. Discussion with ANO revealed that there is no permanent council established and new members (whose number is variable) are selected on an ad hoc basis for each meeting.

In order to ensure necessary **consistency** of assessment decisions and **equal treatment** of HEIs during the decision-making process, we strongly recommend **electing a fixed amount of members of the Accreditation Council on a permanent basis**, e.g. for a time period of three to five years. We also recommend **including (a) student member(s) in the council**. The reviewed principles of election and composition of the Council, including possible limitations, should be included in the Statute of HEIs and the draft Accreditation Rules.

5. According to clause 2.5 of the ESG, any outcomes or judgments made as the result of external quality assurance should be based on explicit and published criteria that are applied consistently, irrespective of whether the process leads to a formal decision. In other words, to ensure equal and fair treatment of the HEIs, the margin of discretion of the Accreditation Council should be limited by some basic decision-making principles.



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At the moment, draft Accreditation Rules does not include any criteria for decision-making. We recommend **including some basic decision-making criteria for the council** (allowing to predict possible accreditation results) either in the Accreditation Rules or some other ANO regulation made available to the public.

6. Pursuant to clause 2.4 of the ESG, external quality assurance should be carried out by groups of external experts that include (a) student member(s). Currently, selection criteria of members of the Accreditation Commission (clause 4.2 of draft Accreditation Rules) do not include a specific requirement to involve at least one student member in the commission. We recommend **adding an explicit requirement to include a student member in the Accreditation Commission** in the draft Accreditation Rules. It would also be advisable to include international experts and representatives in the commission.
7. According to clause 3.4 of the Accreditation Rules, the ANO Office may provide expert support services on a paid basis during pre-accreditation (preparation for accreditation) stage upon the request of institution. This might create a situation where the accrediting body is later going to evaluate its own work, thus jeopardizing the objectivity of accreditation results. Also, HEIs that can allow paying for these kinds of services would be in a privileged situation in comparison with other institutions.

In order to guarantee equal treatment of all HEIs, we recommend **reviewing clause 3.4 of the Accreditation Rules**. Instead of providing individual expert support for HEIs on a paid basis, ANO could, for example, organize general consultation seminars on self-analysis open for all HEIs for a symbolic fee.

8. According to clause 2.6 of the ESG, full reports by the experts should be published, clear and accessible to the academic community, external partners and other interested individuals. Also, any formal decision should be published together with the report. Clause 6.3.1 of the draft Accreditation Rules foresees the publication of positive accreditation report. However, this principle does not appear to be applied in case of conditional and negative accreditation results (clauses 6.3.2 and 6.3.3). We recommend **including in the Accreditation a requirement to make all accreditation reports and decisions available to the public**.
9. We recommend **include in the Accreditation Rules a possibility to organize informal interactive follow-up seminars in between accreditations**. This would create an open space for ANO, HEIs and also other stakeholders to discuss the developments following recommendations received during accreditation and give constructive feedback on accreditation criteria and processes.

Regarding the Accreditation Standards

10. Clause 1.1 of the draft Accreditation Standards (criterion: Mission, tasks and strategy) states that *Missions, tasks and strategy are in line with SMART characteristics*.

Although SMART is a known tool in organization management, there are also different systems (like SWOT analysis) competing with these criteria. Also, stakeholders reading the Accreditation Standards might not be familiar with the content of this abbreviation. Instead of



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using one concrete system as a basis for criteria, **we recommend giving a broader and more generally applicable explanation of general requirements for mission, tasks and strategy of HEIs.** One possibility would be to say that missions, tasks and strategy of HEIs have to be specific, measurable, achievable, realistic and time-related. The means or tools by which to measure the compliance to these criteria could thus be left to the autonomy of HEIs.

11. Part 3 of the draft Accreditation Standards (criterion: Human Resources) is primarily focused on assessing the present situation, like existence of necessary qualifications and motivation/support mechanisms of teaching staff. The question of future sustainability of studies (e.g. potential aftergrowth of teaching staff) is not addressed in these criteria.

We recommend **adding to the criteria for teaching staff also requirements for future sustainability.** An example might be taken from the Accreditation Manual, which includes a following requirement: *The distribution of full-time teaching staff by age and qualifications facilitates the sustainability of studies in a certain study area.*

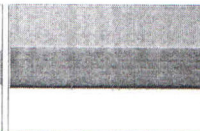
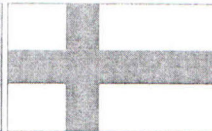
12. According to clause 1.2 of the ESG, institutions should have processes for the design and approval of their programs. The programs should be designed so that they meet the objectives set for them, including the intended learning outcomes. This should serve the overall objective of student-centered learning established in clause 1.3 of the ESG.

Requirements included in part 4 of the draft Accreditation Standards (criterion: Education Programs) currently focus on assessment of conformity to formal requirements. Overall quality (and constant improvement) of study programs and their design has not been included in these criteria.

In order to ensure conformity with the ESG requirements, it is strongly advisable to **review the criteria for education programs in the light of the ESG and the Accreditation Manual.** We recommend adding to part 4 of the Draft Standard also explicit requirements for study program design (in the part that falls within the autonomy of HEIs) including stakeholder involvement, as well as constant review and updating of these programs and clear definition of learning outcomes.

An example might be taken from clause 2.1 part IV of the Accreditation Manual (Study programs and their development):

- 1) *Programmes are designed with objectives that are in line with the institutional strategy, national standards for higher education, expectations of the society and economy, and labour market needs.*
- 2) *The content of the study programme is updated in the light of the latest research in the given discipline.*
- 3) *Objectives, intended learning outcomes, admission and graduation requirements of the programmes are clearly defined; qualification resulting from the programme is clearly specified, communicated and referred to the appropriate level of the national qualifications framework.*
- 4) *Expected student workload is defined in ECTS.*



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- 5) *Practical work/internship supports the achievement of the learning outcomes of the programme.*
- 6) *Up-to-date teaching materials, innovative, creative and interactive learning methods and educational technology are used in teaching and learning process.*
- 7) *Study programmes are monitored and reviewed regularly; relevant stakeholders (incl. students) are involved in these processes.*
- 8) *Graduate satisfaction with the quality of study programmes are surveyed and analysed; the results are considered in the development of study programmes.*

6. Unexpected Results

There were no unexpected results.

7. Issues Left Open After the Mission

There were no issues left open after the Mission.

8. Recommendations for Future Missions

In previous Mission Reports, STEs have constantly underlined the importance of active participation of the Legal Department of the MoE in the activities of Component 1. During the current Mission, an Advisor of Legal Department was present during several discussions on legal framework and showed an active interest in further participation in Mission's activities. Such involvement must be **fully recognized and strongly encouraged and promoted** also during future Missions.

9. Conclusions and General Remarks Concerning the Project

There are 4 missions left in the Component 1 and it is important to consider carefully the most beneficial time for the last visits regarding legal issues.

11.11. 2016

(Date and place)

Jelka Klue

(Signature of Expert)

11. November 2016

(Date and place)

[Signature]

(Signature of Expert)