

## Framework law on external quality assurance

### What will change for the private universities?

On 6 July 2011 the new framework law on external quality assurance has been passed by the Austrian parliament. On 1 March 2012, the laws on higher education quality assurance [Hochschul-Qualitätssicherungsgesetz (HS-QSG)] and on private universities [Privatuniversitätengesetz (PUG)] replace the currently valid University Accreditation Act (UniAkkG). The most important changes for the private universities are summarised in the following.

#### Private universities

##### Courses of Study

In the future, private universities have to offer at least two bachelor programmes in one or more academic or artistic disciplines and at least one consecutive master programme. Institutions which concentrate exclusively on further education (university training courses) will thus no longer be able to operate as a private university.

(PUG §3)

##### Research Funding

Private universities will be allowed to participate in open calls for tender of research, technology, development and innovation programmes even if those are financed by federal funds.

(PUG §5)

##### Advancement of Women

The private universities will have to respect gender balance and the advancement of women. When constituting the organs and committees a balanced ratio of women and men is to be aimed at. Private universities which are a juristic person governed by private law have to observe the Equal Treatment Act (GIBG), BGBl. I Nr. 66/2004.

(PUG §4)

##### Honorary Degrees

According to a verdict by the Higher Administrative Court accredited private universities are currently not entitled to award honorary doctorates or to grant other types of academic honours, as they do not have the proper authorisation outlined in the University Accreditation Act. In the future private universities that offer doctoral study programmes are allowed to award the honorary doctorate („Dr. h.c.“). Additionally, private universities

can award academic honours, including titles such as honorary senator and honorary citizen.

(PUG §3)

##### Annual reports

The private universities still have to submit annual reports which – as opposed to now – have to be published (apart from information about funding sources and business secrets).

(HS-QSG §23)

##### University Training Courses

According to the Universities Act 2002 university training courses are study programmes; therefore all university training courses had to undergo accreditation, whether or not they lead to an academic degree or to an academic title like *Akademischer Experte*. In the future only study programmes which award an academic degree have to be accredited. University training courses which only award an academic title and which do not intend to award an academic degree will no longer have to be accredited, regardless of scope and length.

(HS-QSG §18)

##### Procedures

###### Length

Until present the length of the procedure has been determined by the law *Allgemeines Verwaltungsverfahrensgesetz* (AVG) to not exceed six months. According to the new law, the time limit will be extended to nine months.

(HS-QSG §25)

###### Costs

So far, the applicants just had to refund the costs of the evaluation, i.e. remuneration and travel costs of

the experts only. In the future a fixed rate can be charged for the procedure, which is to be set by the *Agentur für Qualitätssicherung und Akkreditierung Austria*.

(HS-QSG §20)

#### Possibilities to Modify the Application

Up till now, an application for accreditation could have been modified any time, even after the decision of the Council but before the delivery of the notification of accreditation. In the future this possibility will be limited: An application can only be changed until the experts' reports are available.

(HS-QSG §25)

#### Publication of Results

In the future, the following information will be published: The result of the accreditation procedure (Yes/No decision), the names of the involved experts and a so-called results report including the grounds of decision. Personal data and parts of the report which refer to funding sources and business secrets are excluded from publication.

(HS-QSG §21)

#### Accreditation

##### Accreditation periods (6+6+12)

The accreditation period will be prolonged; the present model 5+5+10 will be replaced by 6+6+12: In the future, new institutions are accredited for six years. An extension of accreditation will be granted for another six years. After twelve years of non-stop accreditation, accreditation can be granted for another twelve years.

(HS-QSG §24)

##### Conditional Re-accreditation

In contrast to the previous regulations, a conditional re-accreditation can be granted if shortcomings are detected in the course of the procedure which seem to be remediable. The conditions have to be defined in the notification of accreditation and have to be corrected in a verifiable way within two years. For initial institutional accreditations and for new study programmes conditional accreditation will not be possible.

(HS-QSG §24)

#### Transition period

- The accreditation of private universities whose period of accreditation would expire in 2012 will be extended ex lege until 31 December 2014.
- As from 1 March 2012 applications for accreditation and re-accreditation as private university and applications for accreditation of study programmes of private universities can only be submitted to the new *Agentur für Qualitätssicherung und Akkreditierung Austria*.
- For accreditation procedures which are submitted before 1 March 2012, ÖAR is the competent body until 31 August 2012 and the legal framework is the University Accreditation Act. As from 31 August 2012 all pending procedures will be transferred to the new *Agentur für Qualitätssicherung und Akkreditierung Austria*.

*To avoid a change of competence during a pending procedure as effectively as possible it is recommended to submit applications for accreditation to ÖAR by 30 November 2011 at the latest.*