

Appeals Procedure (Accreditation Decisions)

This document describes the appeals procedure for an appeal made by a higher education institution against an accreditation decision. This procedure is applicable for all accreditations carried out by EQAA. Higher Education Institutions also have the right to appeal against the nomination of reviewers. The procedure for such an appeal is defined in EQAA's Appeals Procedure (Nomination of Reviewers).

(1)

A higher education institution can lodge an appeal against an accreditation decision by EQAA within 21 days of said decision. The appeal needs to be made in writing by the leadership of the higher education institution to the registered address of EQAA. EQAA confirms receipt of the appeal.

(2)

An appeal can be lodged on procedural grounds or in cases of unreasonable judgement. Procedural grounds refer to the review being conducted against the review procedure of EQAA or the decision procedure of the Board of EQAA. Unreasonable judgement refers to either the review team's or the Board's conclusion as unfounded or disproportionate in light of the available evidence.

(3)

The higher education institution needs to point at the procedural grounds and/or the unreasonable judgement in its appeal. The appeal is considered on the basis of the deficiencies outlined by the higher education institution.

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The appeal is forwarded to the Appeals Commission of EQAA. The Appeals Commission decides about the appeal within 10 weeks.

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The Appeals Commission can decide to grant or to reject an appeal. If the Appeals Commission rejects an appeal, the higher education institution will receive a written notification of the rejection by EQAA, which also outlines the reasons for the rejection. If the Appeals Commission grants an appeal, the Board of EQAA will take a new accreditation decision in light of the findings of the Appeals Commission. The new decision will be sent to the higher education institution in writing by EQAA.

(6)

The Appeals Commission formulates its decision about granting or rejecting an appeal in written form, including an explanation of its decision. The decision of the Appeals Commission is sent to the management of EQAA who will make it available to the Board of EQAA.

(7)

The Appeals Commission consists of three members including a chair. The members of the Appeals Commission have no other function within EQAA and do not act as EQAA's reviewers. Should a member of the Appeals Commission have a conflict of interest regarding the appeal of a higher education institution, a substitute member will replace the ordinary member. The Appeals Commission decides by majority.

(8)

The Appeals Commission meets in case of an appeal. The meetings of the Appeals Commission are closed. The Appeals Commission can at its discretion decide to invite the leadership of the higher education institution. The Appeals Commission can request that the EQAA staff in charge of the review against which the appeal is lodged provides comments on the procedure of the review. The Appeals Commission can request an explanation from the review team chair about the judgements made in the review report or from the Board about the accreditation decision. The Appeals Commission can ask for an EQAA staff member for secretarial support during its meeting.

(9)

If the Appeals Commission rejects an appeal, the accreditation decision and the review report will be published by EQAA. If the Appeals Commission grants an appeal, the review report is published once the Board of EQAA has taken a new and final accreditation decision, which will also be published.

(10)

The higher education institution has recourse to the general jurisdiction courts under German law against the decisions of EQAA.