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 Sille Uusna, Ms Heli Mattisen

**Dates of the Mission:** 1-5 May 2017

**Contractor:** Finnish Education Evaluation Centre (FINEEC) /

Estonian Quality Agency for Higher and Vocational Education (EKKA)

**2. Relevant Background Information/State of Affairs**

During the first missions of Activity 1.2, in 2016 the STEs gave to MoE some concrete recommendations regarding the new State standard and program for higher education (State standard) draft, in order to ensure its compatibility with the principles of the European higher education area and create consistency between different regulations concerning the HE subject area. The next 1.2. mission was focused on the Statute of higher education institutions (Statute of HEIs) and led to recommendations. The third mission of 1.2. concentrated to accreditation rules.

Recently, the MoE introduced to STE’s updated drafts of:

* the State Standard for HE;
* the Accreditation standards for evaluating the activities of HEIs;
* the Accreditation rules of HEIs and study programs.

**3. Objectives and Tasks of the Mission**

This mission purpose was to evaluate the progress that have been made by implementing STEs recommendations and to provide concrete input into legislative drafts based on the recommendations and to support the elaboration process of the legislation relevant to QA and the AzQF sections relevant for higher education, and adherence to the EHEA.

**4. Time Schedule of the Mission**

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| **Date** | **Activities/Meetings**  BC experts met  (title and institution) | **Remarks** |
| 01.05.2017 | - Meeting of STEs.  - Meeting at the MoE with MoE HE department  Discussing the state of the draft of State standard and other activities and plans concerning new legal initiatives.  Participants: Sulhaddin Gozalov, Aygun Mammadzade, RTA team. |  |
| 02.05.2017 | - Meeting at the ANO.  Workshop and discussion with the ANO experts on the theme of accreditation rules and standards and STE comments.  Participants: Tofig Ahmadov, Elshan Nuriyev, Tarana Mammadova, Konul Fatiyeva, Farida Huseynova, Orkhan Sultanov, RTA team. |  |
| 03.05.2017 | - Meeting of STEs to prepare concrete recommendations to the draft of State standard. |  |
| 04.05.2017 | - Meeting at the MoE with MoE legal expert.  Discussion about drafting process.  Participants: Aygun Mammadzade   * Meeting at the MoE with MoE HE department.   Participants: Sulhaddin Gozalov, Nargiz Garakhanova, Vusala Gurbanova, Tarana Mammadova, Elshan Nuriyev, RTA team. |  |
| 05.05.2017 | - Preparation of the report.  - Meeting at the MoE.  Participants from MoE: Emin Nazirov, RTA team. |  |

**5. Achievement of the Expected Results**

The expected results of the mission were achieved. In workshops, the recommendations were comprehensively discussed.

**6. Unexpected Results**

There were no unexpected results.

**7. Issues Left Open After the Mission**

According to the representatives of the MoE, the new draft of the Statues of HEIs is under preparation. The new draft should consider most of the recommendations made previously by the STEs. The MoE continues work with the draft of State standard.

**8. Recommendations for Future Missions**

The cooperation between experts from different departments in MoE should be fully recognized and strongly encouraged also during future Missions. State standards about doctoral education and learning outcomes and general quality requirements.

**9. Conclusions and General Remarks Concerning the Project**

Considerable efforts have been made by the Ministry of Education (MoE) in adopting the principles of European higher education area. The draft of the new State standard takes into account several recommendations that STEs have made during previous missions. However, the STEs still have recommendations which include some unevitable ones regarding the overall drafting process and further developments of the Statute of HEIs and the State standard, and accreditation rules and standards.

We were impressed by improvements made in both accreditation documents developed by ANO - Accreditation standards for evaluating the activities of higher education institutions and Accreditation rules of higher education institutions and study programs. The document providing the standards for accreditation is in sound accordance with ESG while taking into account national context. Pilote evaluations conducted in the framework of Twinning project will certainly give an evidence based input for further development of both documents.

**URGENT RECOMMENDATIONS**

*Cooperation*

1. During the mission, STEs have met with highly competent and motivated experts from HE Department, ANO and Legal Department. We strongly recommend promoting **cooperation between MoE experts** to combine competence in different fields. It is also advisable to use the format of **joint brainstorming, working groups and also more informal communication during working process** for discussing future initiatives of HE issues the MoE. Joint effort and promoted cooperation, also in other manner than formal feedback in official consulting process, could lead to an excellent result.

2. It would be most advisable to promote **cooperation with stakeholders in HE field**. For example, supporting the establishment of Rectors Conference or form a higher education advisory board, led by the MoE.

*Hierarchy of legislation*

3. At the moment there seems to be indistinctness about the **hierarchy of different legal acts and provisions**. We recommend that MoE experts from different departments could in a form of joint brainstorming draft a possible structure and hierarchy of reasonable HE legislation system, aiming to avoid overlapping while assuring coherence.

4. Some efforts have been made in **reviewing the existing legislation** and repealing the provisions not needed anymore (consolidation of accreditation regulations, a new draft for Scientific Board etc). We strongly recommend continuing with that kind of activities. For example, the separate regulations for each study level (BA, MA, PhD) should be consolidated in the State standard.

5. According to the representatives of MoE, a new draft of Statutes of HEIs will be prepared. The STEs recommend to develop the Statutes of HEIs to **comprehensive higher education (HE) framework regulation** which includes all basic principles of HE.

*Quality requirements*

6. At the moment, the quality **requirements for** **establishing new HEIs/study programs** have not been included in any general framework regulation yet. The link between opening a new study program and accreditation seems to be not clear.

In order to ensure the continuity, the **quality requirements for opening new study program should be in accordance with the requirements later taken into account for accreditation.** There may be a need for more detailed regulation how to initially evaluate the quality of a new curricula. The STEs recommend to use as much as possible the competence and recourses of ANO to provide continuity between initial and following evaluations.

We recommend:

**Add to the Statute for HEI (framework act)**

* Basic principles for opening a new curriculum, including initial quality control;
* Basic principles for accreditation, including the object of accreditation (institutions or study programs or both); accreditation period; accrediting body and it’s general formation principles, composition (incl. limitations); consequences of a negative accreditation.

**Add to the State Standard of HE**

* Basic quality standards describing in general terms the societal expectations towards the quality of HE in Azerbaijan. Based on the general quality standards ANO will specify the quality requirements and assessment criteria at the next level.

An example of general quality standards which are in line with ESG and could be the bases for more detailed requirements and criteria in the framework of external assessment:

**educational values**

* The higher education institution shall develop students’ ability to adapt to modern requirements and conditions, to be competitive, independent and creative individuals and responsible citizens, to live and act in information society and to build communication.
* The institution shall support academic integrity and is vigilant against academic fraud; it supports guarding against intolerance of any kind or discrimination against the students and staff.

**learning outcomes and ECTS**

* The design and development of study plans is in line with areas of activity and educational objectives of the institution, expectations of the society, labour market needs, and the latest research.
* Objectives, intended learning outcomes, admission and graduation requirements of the programs are clearly defined.
* Expected student workload is defined in credit point system at all levels of higher education.
* Qualification resulting from the program is referred to the appropriate level of the European qualifications framework in order to assure the comparability of qualifications.

**academic staff**

* Academic staff with adequate qualifications ensure the achievement of the objectives and learning outcomes of the study program, as well as the quality and sustainability of teaching and learning.
* The distribution of full-time teaching staff by age and qualifications facilitates the sustainability of studies.

**teaching and learning process**

* Teaching and learning takes into account the educational needs of students, provides flexible learning opportunities and encourages active participation of students in creating the learning process.
* Practical work/internship supports the achievement of the learning outcomes of the program.
* Student assessment is objective, consistent, transparent and supports the achievement of learning outcomes.
* Up-to-date teaching materials, innovative, creative and interactive learning methods and educational technology are used in teaching and learning process.

**resources and support services**

* Resources (teaching and learning environments, teaching materials, teaching aids and equipment, premises, financial resources) support the achievement of objectives in the study program.
* Students are provided academic, career and psychological counselling by the higher education institution. Students’ academic progress is monitored and supported; the institution has processes and tools to support special educational needs.
* Information technology tools for studies and research and development activities and connections to domestic andinternational information networks are accessible and necessary data bases are available.

*Learning outcomes*

7. The STEs recommend to include the **HE level descriptors** (levels 6-8) from the draft of NQF **in an Annex to the State Standards for HE** and to refer to their correspondence with a respective level in EQF. It gives a clear reference point to curriculum developers and supports Azeri HE to meet the objectives of the Bologna process.

8. As there is no differentiation of learning outcomes at level 8 between PhD and Doctor of Sciences, and the compulsory credit point system is not applicable for the program of Doctor of Sciences, therefore we recommend **not to describe the DSc program in the State standards for higher education.**

9. The principles of the **student assessment** are very well described (e.g., transparency, objectivity, fairness, self-evaluation, diverse methods and tools of assessment). In addition, the main aim of assessment should also be clearly stated: to measure whether the learning outcomes have been achieved as well as to support students’ learning. **The assessment methods and criteria should be in full accordance with the learning outcome(s).**

*Accreditation rules and standards*

10. 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 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. Implementing this recommendation definitely requires some fundamental changes on legislative level, but is essential.

11. The rules for the **composition of the Accreditation Council** have been removed from the last draft of the Accreditation Rules and Procedures, as they will be defined in another document Regulation *of the Accreditation Council* approved by the Ministry of Education. However, it is important to **clarify the rules and principles (incl the number of Council members and the election period) for selection of the member of the Accreditation Council and** **make the inclusion of a student member in the Council obligatory.** An example of composition rules for the council applied by EKKA can be found [here](http://ekka.archimedes.ee/wp-content/uploads/Formation_Assessment_Council_Appeals_Committee.pdf).

12.According to clause 3.5. of **ESG agencies should have adequate and appropriate resources**, both human and financial, to carry out their work. It is in the public interest that agencies are adequately and appropriately funded, given higher education’s important impact on the development of societies and individuals. Therefore, it is **essential to provide financial resources needed for conducting quality assurance activities in an objective, effective and efficient manner** and for involving best experts.

There are different practices regarding financing of external quality assurance activities. The most common practice is, that the basic funding of agencies (covering permanent staff, premises and other permanent costs) is offered by the state and institutions are paying fees covering variable costs connected to the single accreditation procedures (expert fees, transport, accommodation). While ANO’s permanent costs are fairly covered by the MoE sources for covering variable costs depending on the scope of accreditations are clearly lacking. **We recommend to develop and approve the accreditation fees for higher education institutions depending on the scope (size of the institution, number of programs etc) of the accreditation procedure.**

13. **Highly qualified and trained experts** are the key actors in the accreditation procedure. In addition to their academic competence they have to be aware of their role in the procedure, follow the code of ethics of experts and have a common understanding of the quality standards (see also ESG 2.4). Therefore, it is essential to **add to the requirements for a member of an expert group the participation in a training offered by ANO.**

14.According to the clause 2.7. of ESG **complaints and appeals processes** should be clearly defined as part of the design of external quality assurance processes and communicated to the institutions.

A complaints procedure allows an institution to state its dissatisfaction about the conduct of the process or those carrying it out. In an appeals procedure, the institution questions the formal outcomes of the process, where it can demonstrate that the outcome is not based on sound evidence, that criteria have not been correctly applied or that the processes have not been consistently implemented. **We recommend to include the description of the complaints and appeal procedures in the Accreditation Rules of Higher Education Institutions and Study Programs.**

**ADDITIONALLY, TO CONSIDER OTHER RECOMMENDATIONS PROVIDED IN PREVIOUS REPORTS**

15. As there is still no legal framework regarding the **possible use of foreign agencies** in the accreditation process, no further developments can be detected regarding the use of foreign agencies in the accreditation process in ANO regulations. Presumably, changes should first be made on legislative level. Thus, we **strongly 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, i.e. Accreditation Council headed by the Minister. 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.

16. The STEs, taking into account the recommendations of previous missions, point out the need to clarify in framework act the **main division of responsibilities between Rector and Scientific Board**. The STEs also recommend to consider some **performance indicators to universities** and to regulate the structure of **self-administration of student unions** in a centralized manner. Also, the STEs recommend to include the **basic criteria and characteristics of a research university** in either the Education Law or the Statute of HEIs.

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**(Date and place) (Signature of Expert)**

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