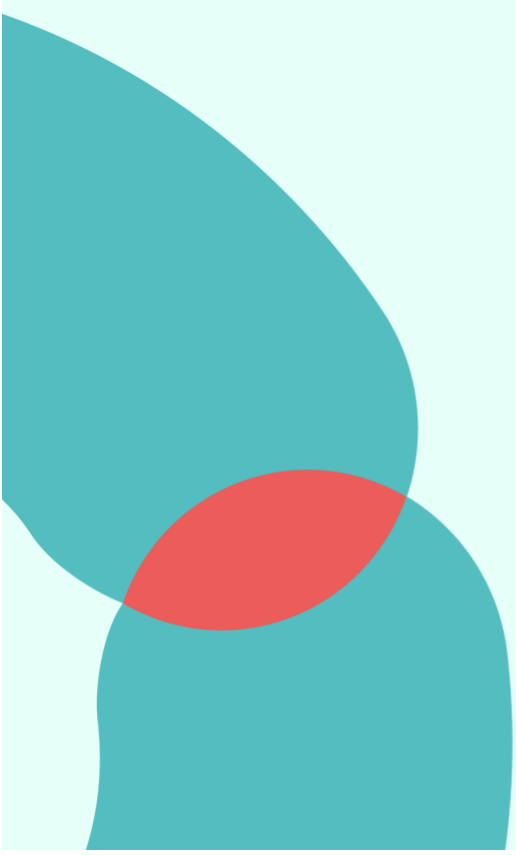


NVAO • GRAND DUCHY OF LUXEMBOURG

QUALITY ASSURANCE SYSTEM

FRAMEWORK FOR COMBINED
ASSESSMENTS AT SPECIALISED HIGHER
EDUCATION INSTITUTIONS

3 JULI 2024



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FRAMEWORK FOR COMBINED ASSESSMENTS AT SPECIALISED HIGHER EDUCATION INSTITUTIONS

BASED ON THE HIGHER EDUCATION LAW OF 21 JULY 2023
– *loi du 21 juillet 2023 ayant pour objet l'organisation de
l'enseignement supérieur*

3 JULY 2024



This assessment framework applies to the Specialised Higher Education Institutions offering programmes leading to Bachelor's and Master's degrees.

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Quality assurance system

The higher education system of Luxembourg is in alignment with the European qualification frameworks, both the European Qualifications Framework and the Qualification Framework for the European Higher Education Area. It comprises the short cycle (BTS), the first cycle (Bachelor), the second cycle (Master) and the third cycle (PhDs and Specialised Studies Diplomas in Medicine – diplôme d'études spécialisées en médecine).

The Higher Education Law of 21 July 2023¹, which replaced the amended law of 19 June 2009, defines the scope of higher education in Luxembourg and regulates a specific part of the sector. It creates the legal basis for:

- The short-cycle programmes leading to the Brevet de Technicien Supérieur (BTS), offered by the Lycées;
- The specialised higher education institutions and their bachelor's and master's programmes.

The organisation of Bachelor's, Master's, PhD's and the Specialised Studies' degrees in Medicine (diplôme d'études spécialisées en médecine) at the University of Luxembourg is regulated by separate legislation.

The application process for accreditation procedures follows the procedure laid down by law and is organised by the Ministry of Research and Higher Education. Once an application is deemed admissible, the application is transmitted to NVAO. This is the formal start of NVAO's assessment procedure. Therefore, the announcement by a higher education provider of its intention to submit an application for an accreditation procedure (art. 56)² and the admissibility phase (art. 57)³ are outside the scope of this framework.

¹ <https://legilux.public.lu/eli/etat/leg/loi/2023/07/21/a470/jo#intituleAct>

² https://legilux.public.lu/eli/etat/leg/loi/2023/07/21/a470/jo#art_56

³ https://legilux.public.lu/eli/etat/leg/loi/2023/07/21/a470/jo#art_57

1 Introduction

The assessment framework at hand outlines NVAO's quality assurance methodology in line with Luxembourgish law. It substantiates the quality requirements and the assessment procedure for programmes leading to Bachelor's and Master's degrees, offered by Specialised Higher Education Institutions, abbreviated as SHEIs. The assessment addresses institutional aspects and programme aspects; therefore, it is always a combined assessment. This framework is applicable to both initial accreditation and re-accreditation procedures.

The assessment framework contains the assessment principle and the assessment procedure.

First, the assessment principle lays down how the quality of a Bachelor's and Master's programme is demonstrated by reference to the following quality features:

- Assessment areas (Domaines d'examen);
- Assessment criteria (Critères d'évaluation).

These quality features are the characteristics of a high-quality higher education programme; in line with the Standards and Guidelines for Quality Assurance in the European Higher Education Area (ESG, 2015). They provide higher education programmes with a basis for substantiating quality. To demonstrate quality, the assessed programme needs to meet the quality features.

In addition, the assessment panel verifies how, on the one hand, internal and external stakeholders, and on the other hand, external and independent peers and experts are involved in the development of the programme and how this involvement will be ensured in the future in a continuous pursuit of quality enhancement.

Second, the assessment procedure lays down how the assessment is organised. This procedure is coordinated by NVAO and results in an assessment report. NVAO's advice regarding accreditation, which includes the assessment report, is submitted to the Ministry of Research and Higher Education. The Minister takes an accreditation decision based on NVAO's advice.

The text applies to both initial accreditation and re-accreditation of a Bachelor's and Master's programme, offered by Specialised Higher Education Institutions.

2 Assessment principle

2.1 Assessment ground

The assessment of the quality of a Bachelor's and Master's programme is substantiated on the basis of six assessment areas:

- Organisation, strategy and sustainability of the SHEI;
- Aims and objectives of the programme;
- Admission, evaluation, certification;
- Implementation of the programme;
- Research;
- Quality assurance measures.

These assessment areas determine the scope of the investigation conducted in the light of the assessment. The six assessment areas are detailed in the following assessment criteria.

1° Organisation, strategy and sustainability of the SHEI

- The SHEI bases its activities on strategic guidelines and objectives, which it shall make public. It publishes, in a clear, accurate and up-to-date manner, information about its governance structure and activities, including its Bachelor's and Master's programmes accredited by the Minister. For each accredited study programme, full information is published on admission requirements, tuition fees and the total cost to be expected for each accredited study programme, the study plans for the programmes offered, the learning outcomes targeted, and the degree and qualification to which the programme leads. In its publications, the SHEI provides information on the respective status of its programmes of study with regard to ministerial accreditation and clearly distinguishes programmes of study accredited by the Minister from programmes of study not accredited by the Minister.
- The origin of the SHEI's financial resources is transparent and organised in accordance with the principles of scientific neutrality.
- Staff recruitment follows clearly defined procedures.
- The SHEI collaborates regularly with other institutions at national and international level as well as with economic and social players in the Grand Duchy of Luxembourg.
- The SHEI participates actively in international student and teaching staff exchange programmes.

2° Aims and objectives of the study programme

- The programme complies with the provisions relating to programmes leading to the Bachelor's and Master's degrees, as defined in Title IV⁴.
- The programme has a coherent curriculum which reflects the programme's intended learning objectives and the learning outcomes to be achieved by the student. It is broken down into knowledge, specific skills, and transversal skills.
- The programme is defined in accordance with European standards and the Bologna Process. It is defined in terms of ECTS credits.
- The programme is divided into modules, each of which is awarded a certain number of ECTS credits. Each module is made up of one or more theoretical or practical units, known as "courses". Each course carries a minimum of one ECTS credit and a maximum of 20 ECTS credits. The objectives and learning outcomes of each module and course are clearly defined.
- The workload is appropriate and balanced between semesters.
- The ratio of theoretical to practical teaching is consistent with the programme's objectives. Depending on the objectives of the programme, internships are an integral part of the curriculum. These internships fall within the scope of the provisions of Book

⁴ https://legilux.public.lu/eli/etat/leg/loi/2023/07/21/a470/jo#chapter_4

1, Title V, Chapter II, Sections 1 and 3 of the Luxembourgish Labour Code ('Code du travail')⁵.

- g) For each module of the programme, the appropriateness of the workload, the types and methods of assessment and the intended learning outcomes are determined and documented in relation to the descriptors for the corresponding level of the Luxembourg Qualifications Framework, in accordance with the amended Law of 28 October 2016 on the recognition of professional qualifications^{6 7}, and in relation to the number of ECTS credits allocated to each module of the programme.
- h) As part of the study programmes leading to the Bachelor's degree, a compulsory period of study at a university or higher education institution abroad, recognised by the competent authority of the State concerned, leads to validation of the courses completed outside the home institution. The conditions under which individual exemptions may be granted to a student are clearly defined.
- i) Programmes preparing for regulated professions within the meaning of the amended Law of 28 October 2016 on the recognition of professional qualifications⁸ comply with the legislative and regulatory requirements governing the regulated profession concerned. This compliance is established by means of a detailed report drawn up by the competent minister responsible for the profession concerned. This report is a mandatory part of the accreditation file.

3° Admission, evaluation, certification

- a) The admission requirements for the programme of study are clearly defined and published.
- b) Where the conditions for admission to the programme and the conditions for validation of courses provide for the possibility of validation of prior learning or experience, the arrangements for such validation are clearly defined, in accordance with the provisions of Article 48⁹.
- c) Assessment methods are defined in relation to the learning objectives and are designed to verify the achievement of the programme's intended learning outcomes.
- d) The assessment methods applied in the various modules and courses are clearly communicated to the students.
- e) Where the programme of study includes distance learning components, specific distance teaching and learning quality assurance tools are in place, online assessment procedures are defined and communicated to students, and specific support is provided to students. Compliance with Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016¹⁰ on the protection of individuals with regard to the processing of personal data and on the free movement of such data is established and documented.
- f) If the SHEI aims to recruit students from third countries, it has an internationalisation strategy and an appropriate action plan in terms of pedagogical and cultural support and infrastructure capacity to achieve the objectives of the strategy. The action plan covers the entire academic career of students who are third-country nationals, from the recruitment of students to the entry of graduates into the labour market.
- g) The diploma shall comply with the provisions of Article 52(2)¹¹ and be accompanied by a supplement complying with the provisions of Article 52(3)¹².

4° Implementation of the programme

- a) In the case of the initial accreditation of a programme of study, the SHEI has a forecast plan for the recruitment of full-time equivalent permanent teaching staff covering the accreditation period in question.

⁵ https://legilux.public.lu/eli/etat/leg/code/travail/20240227#chapter_19

⁶ <https://legilux.public.lu/eli/etat/leg/loi/2016/10/28/n2/jo>

⁷ https://legilux.public.lu/eli/etat/leg/loi/2016/10/28/n2/jo#art_69

⁸ <https://legilux.public.lu/eli/etat/leg/loi/2016/10/28/n2/jo>

⁹ https://legilux.public.lu/eli/etat/leg/loi/2023/07/21/a470/jo#art_48

¹⁰ <https://eur-lex.europa.eu/legal-content/FR/TXT/PDF/?uri=CELEX:32016R0679>

¹¹ https://legilux.public.lu/eli/etat/leg/loi/2023/07/21/a470/jo#art_52

¹² https://legilux.public.lu/eli/etat/leg/loi/2023/07/21/a470/jo#art_52

- b) Teaching is provided by a teaching staff that is competent from a didactic and pedagogical point of view and capable of relating teaching to professional practice in the field concerned and to current research. Teaching is student-centred and encourages active student participation. The suitability of each of the professional profiles of the available and planned teaching staff is clearly demonstrated in relation to the programme's objectives and its intended learning outcomes.
- c) The proportion between permanent teachers and external contractors is appropriate to the objectives of the curriculum, it being understood that the proportion of lessons provided by external contractors may not exceed the threshold of 40% set in Article 54(2)¹³.
- d) Continuing training programmes are provided for teaching staff.
- e) Students benefit from appropriate supervision and full information. A tutoring programme is offered to students.
- f) The SHEI has a policy on inclusion and provides reasonable adjustments for a student with a particular impairment or disability, the effects of which hinder normal progress in studies or prevent the student from using acquired knowledge and competences in assessment tests, and which is such that these hindrances and impediments can be compensated for by reasonable adjustments.

5° Research

- a) The SHEI has a research strategy in the fields that are the subject of its Bachelor's and Master's programmes. In the fields that are of relevance to the institution, it conducts fundamental research or applied research activities, as defined in Article 1 of the amended Law of 3 December 2014¹⁴ on the organisation of public research centres. These research activities give rise to publications on behalf of the SHEI in international peer-reviewed scientific journals.
- b) The SHEI incorporates the results of its research into its education.

6° Quality assurance measures

- a) The SHEI ensures the collection, analysis, and use of relevant information for the effective management and continuous improvement of its study programmes and research activities.
- b) The SHEI has an internal and external quality assurance system, which it makes publicly available and which forms an integral part of its strategic management. The quality assurance procedures applied by the SHEI comply with the requirements of the Standards and Guidelines for Quality Assurance in the European Higher Education Area (ESG).
- c) The programmes are regularly subjected to internal evaluation to ensure that they take into account the latest research and didactic developments in the relevant field, achieve the intended learning outcomes, and meet the constantly evolving needs of students and society.
- d) The SHEI maintains regular and formalised exchanges with professional circles in the Grand Duchy of Luxembourg related to its programmes of study.
- e) Responsibilities, competencies, and decision-making processes within the SHEI are defined clearly and transparently.
- f) The SHEI has its own set of internal rules defining disciplinary procedures and anti-fraud measures.
- g) Teachers and students have sufficient means to express their positions and participate in decision-making through representation in various bodies and committees.
- h) The SHEI has a contact person or committee responsible for issues relating to gender equality policy.
- i) In the case of an application for the reaccreditation of a programme, it is demonstrated to what extent, and through which means, actions, and decisions the SHEI has taken into account the recommendations outlined in the evaluation report and the accreditation decision of the previous period.

¹³ https://legilux.public.lu/eli/etat/leg/loi/2023/07/21/a470/jo#art_54

¹⁴ https://legilux.public.lu/eli/etat/leg/loi/2014/12/03/n2/jo#art_1er

2.2 Assessment scale and assessment rule

2.2.1 Assessment scale

Initial accreditation

Based on the panel's report on the potential quality of the programme, NVAO shall advise the Minister for Research and Higher Education (hereafter the Minister) to take one of the following decisions:

- Positive initial accreditation decision;
- Negative initial accreditation decision.

Re-accreditation

Based on the panel's report on the quality of the programme, NVAO shall advise the Minister to take one of the following decisions:

- Positive re-accreditation decision;
- Conditional re-accreditation;
- Negative re-accreditation decision.

A conditional re-accreditation shall be granted on condition that the shortcomings can be remedied within a maximum period of one year. NVAO shall verify compliance with the conditions based on an additional file submitted by the SHEI and transferred to NVAO by the Minister within the deadlines set in the decision. If NVAO considers it necessary, a site visit will be scheduled to verify compliance.

After verifying compliance with the conditions, NVAO shall advise the Minister to take one of the following decisions:

- Positive re-accreditation decision;
- Conditional re-accreditation, where conditional re-accreditation is extended for a well-defined period;
- Negative re-accreditation decision.

2.2.2 Assessment rule

NVAO assesses the (potential) quality of the programme based on the assessment areas and assessment criteria. NVAO's assessment decisions are based on the findings from the investigation conducted by NVAO's assessment panel and are substantiated in detail. Any decision by NVAO is presented as an advice to the Minister.

Initial accreditation

Positive initial accreditation decision

The potential quality of the programme can be demonstrated in a verifiable manner on the basis of the assessment ground. For each of the assessment areas, the programme has met the underlying assessment criteria.

Recommendations never conflict with a positive initial accreditation decision.

Negative initial accreditation decision

With respect to well-defined aspects of the assessment ground, the potential quality of the programme cannot be demonstrated in a verifiable manner. For at least one of the assessment areas, the programme has not met the underlying assessment criteria.

Re-accreditation

Positive re-accreditation decision

The quality of the programme can be demonstrated in a verifiable manner on the basis of the assessment ground. For each of the assessment areas, the programme has met the underlying assessment criteria.

Recommendations never conflict with a positive accreditation decision.

Conditional re-accreditation decision

With respect to well-defined aspects of the assessment ground, the quality of the programme cannot be demonstrated in a verifiable manner. At least one assessment area has shortcomings. However, these shortcomings can be remedied within one year. These shortcomings must be explicitly substantiated by reference to (a) condition(s) that must be met in order to remedy the deficiency.

In addition to conditions, recommendations may be formulated.

Negative re-accreditation decision

With respect to well-defined aspects of the assessment ground, the quality of the programme cannot be demonstrated in a verifiable manner. At least one assessment area has shortcomings and these shortcomings cannot be remedied within one year.

3 Assessment procedure

3.1 Self-evaluation report

The SHEI produces a self-evaluation report (legally defined as the accreditation file) that provides NVAO's assessment panel with insight into how the programme demonstrates compliance with the six assessment areas and their underlying criteria as included in the assessment ground.¹⁵

The self-evaluation report enables the assessment panel to carry out its investigation into the programme's quality. The self-evaluation report is therefore a self-contained document that can be read in its own right. It addresses the six assessment areas and their underlying assessment criteria. For each criterion the report explicitly demonstrates how the programme meets the criterion, this includes references to the source(s) for the information provided or its original documentation. For each assessment area, the report includes an analysis of strengths, weaknesses, opportunities, and threats (SWOT-analysis) of maximum one page. This SWOT-analysis provides the programme with an opportunity to pay attention to the context in which the programme is taught, and to the way internal and external stakeholders, peers, and experts have been involved in the development of the programme and the self-evaluation process leading to this self-evaluation report.

In case parts of the self-evaluation report or the references to sources and/or documentation is unclear, NVAO can request the programme to submit clarifications.

The self-evaluation report comprises a maximum of 50 pages, excluding the appendices with mandatory documentation as listed in Chapter 4 of this assessment framework. Information that is (publicly) available on the website may be provided by means of a web link. The self-evaluation report is delivered in English.

3.2 Application

The application for accreditation follows the procedure laid down by law and organised by the Ministry of Research and Higher Education. The accreditation file must be submitted no later than July 15th, prior to the year of accreditation decision. Once an application is submitted to the Ministry, the application is transmitted to NVAO. This is the formal start of NVAO's assessment procedure.

Fees are due within the initial and re-accreditation procedures of Bachelor's and Master's programmes offered by SHEIs. This is regulated by the Ministry of Research and Higher Education.

3.3 Expertise of the assessment panel

NVAO convenes the panel that will conduct the combined assessment at the SHEI. This panel consists of experts who are qualified to make a judgement on the quality of the programme.

An assessment panel comprises a minimum of four and maximum of six members (depending on the number of programmes to be accredited), among them is a student; it is supported by a NVAO process coordinator and possibly an external secretary. The NVAO process coordinator and the external secretary do not sit on the panel.

¹⁵ In accordance with art. 58 (1) of the Higher Education Law of 21 July 2023, the self-assessment report documents compliance with the criteria in Annex D
(https://legilux.public.lu/eli/etat/leg/loi/2023/07/21/a470/jo#attachment_4)

The assessment panel must be authoritative. To this end, it combines the following types of expertise:

- Subject-specific expertise is focused on the developments in the discipline/field of study. A subject-specific expert teaches or has taught within the same or a similar programme and contributes to the development of the professional practice, the discipline, or the field of study;
- Educational expertise refers to recent experience in teaching or educational development at the relevant level (EQF level 6 or 7) and to expertise regarding the education and learning/teaching formats provided by the programme;
- Expertise in the professional field refers to commanding a good overview of the requirements that the profession sets for graduates;
- Evaluation expertise enables the panel to assess whether the programme can assure the quality of education;
- International expertise is represented on the panel in order to enable it to verify whether the programme meets common international standards in terms of content, orientation, and level, and insofar as applicable, whether it meets the requirements that the international professional field sets for graduates;
- Student-related expertise enables the panel to verify whether the programme is student-centred and safeguards the interests of students in such aspects as the information provision to students, student facilities, student counselling and guidance, and student participation. Preferably, student experts have experience as a student representative within a programme or a SHEI;
- To take maximum account of a programme's specific context and to survey the broader framework within which a programme is taught, the panel must command thorough knowledge of higher education in Luxembourg or the larger region.

Should the examined programme prepare for a regulated profession, the panel shall comprise at least one expert from that specific profession.

Panel members are still active (not necessarily employed) in their field of expertise when the panel is appointed. This also applies to the student who sits on the panel. For student-related expertise, a person is deemed active until one year after graduation. For any other type of expertise, a person is deemed active until three years after leaving their field of expertise.

3.4 Independence

In order to warrant an objective and fair assessment, a panel must be able to work independently. Panel members cannot have any interest in a positive or a negative outcome. Therefore, membership of a panel, the role of process coordinator and the role of secretary are incompatible with:

1. (former) membership of:
 - a. the staff of the SHEI concerned, irrespective of the nature of the employment or the origin of the remuneration;
 - b. a management body of the SHEI concerned;
 - c. management body of a legal entity in which the SHEI has an interest;
2. actual or former ties of professional or private nature with the SHEI;
3. providing advice or performing assignments in the past for the SHEI concerned;
4. having had a (former) spouse, a (former) cohabitation arrangement or family ties to the second degree with persons as referred to in 1°.

There is no longer any incompatibility if the membership, the representative function, the spousal, or cohabitation arrangements were terminated 5 years prior to the date of application, or if the advice or assignment was delivered before this period.

The panel members, the process coordinator, and the secretary sign NVAO's Deontological Code confirming that they are not in a state of incompatibility as outlined above. If an incompatibility arises after the Code is signed, the person concerned must report this to NVAO and immediately and completely withdraw from the assessment procedure.

3.5 Composition of the assessment panel

When the NVAO takes a decision regarding the composition of the panel, this composition is communicated to the management of the SHEI.

The management of the SHEI can raise substantiated objections to the composition of the panel if it believes that a panel member is deemed not independent. This must be demonstrated by presenting a state of incompatibility as specified in the previous chapter. The management of the SHEI formulates the objections within a period of 15 calendar days, starting the day after the notification of the panel composition. Late requests are inadmissible unless the reason for disqualification arose after the notification, or if the management of the SHEI demonstrates that it only became aware of this reason later.

The NVAO investigates the matter without delay and amends the composition of the panel if incompatibility is established. In such cases, NVAO informs the management of the SHEI of the modified composition.

If a panel member drops out during the assessment procedure, this member is only replaced if its expertise is indispensable for coming to a valid and substantiated assessment report and decision. NVAO can designate ad hoc substitutes. A panel member can be replaced at any time, regardless of the stage of the procedure. When a panel member is replaced, the new composition of the panel is communicated to the management of the SHEI. In such cases, the possibility of disqualification regarding the new member is again applicable in accordance with the provisions mentioned above.

The process coordinator facilitates the work of the assessment panel and monitors the application of NVAO's methodology. To safeguard this, all the panel members receive thorough training by NVAO prior to the procedure. This training prepares the panel members for their tasks and responsibilities.

If, during the assessment procedure, matters arise that could impact the independence of the assessment, stakeholders such as panel members, process coordinators, secretaries, staff of the SHEI, or students, may report such matters to NVAO via the dispute resolution procedure available on NVAO's website.

3.6 Dialogue with the programme (SHEI)

The panel is allowed a minimum period of six weeks to peruse the self-evaluation report and the accompanying documentation. As part of the panel's investigation, NVAO organises a dialogue between the panel and the programme (SHEI). The format and planning of the dialogue are agreed upon in consultation with the programme (SHEI) and the panel. The dialogue includes a site visit. The combination of a site visit and online conversations is also possible, for example to speak to certain stakeholders for whom the physical relocation is difficult. In regular procedures, the dialogue is organised in October-November. During (a) preliminary meeting(s) the panel prepares for the dialogue with the SHEI.

The schedule of the site visit is structured in a manner that enables the panel to fulfil its duties. The panel is asked to flesh out the schedule based on a proposal by NVAO; the details are

discussed with the SHEI. The process coordinator liaises between the panel and the SHEI in this matter. Once the schedule is finalised, the panel puts forwards the persons and/or positions/functions it wants to meet with. These meeting groups have a desired size of 6 to 8 persons.

The following groups must certainly be involved in the dialogue:

- Management of the SHEI;
- Staff responsible for the programme;
- (Intended) teaching staff;
- Students from the SHEI and/or the programme;
- Representatives from the professional field.

The dialogue will be conducted in English.

Considering that a panel may request additional information, or that the SHEI may wish to present further information in the process of the dialogue, the schedule features an open timeslot.

In the case of a conditional re-accreditation, a site visit may be part of this conditional re-assessment. The site visit can be replaced by an online dialogue.

3.7 Assessment report

The assessment panel lays down its findings, considerations, and conclusions in an assessment report. The investigation conducted by the panel is structured by reference to the assessment areas and assessment criteria contained in the assessment ground.

During the dialogue with the programme and the preliminary meeting of the panel, the secretary collects all the input from the panel members and draws up a report that constitutes the basis for the assessment report. The assessment report comprises a judgement regarding the assessment areas. This judgement is substantiated by weighing positive and critical elements from the findings and conclusions of the assessment panel. All underlying criteria are taken into consideration.

The SHEI must engage reasonably and actively with NVAO and its assessment panel. The SHEI is expected to be transparent and open in providing the mandatory annexes. During the dialogue, the panel has the right to request additional information or additional interviews. In the assessment report, the panel indicates how they perceived the dialogue and cooperation of the SHEI.

In the assessment report, the final judgement of the panel follows NVAO's assessment rules. This judgement is substantiated by reference to the positive and critical elements observed during the panel's investigation of the quality of the programme.

The assessment report comprises 20 to 30 pages and is preceded by a concise summary of the findings and the judgement of the panel. The assessment report must include the following data:

- The administrative data of the SHEI and the programme as listed in paragraph 4.1;
- The composition of the panel;
- The schedule of the dialogue with the programme;
- An overview of the materials studied;
- A list of abbreviations.

The panel's assessment report will be written in English.

After all the panel members have approved the content of the draft assessment report, the panel chair endorses the draft report. This draft assessment report is forwarded to NVAO within four weeks after the dialogue with the programme.

3.8 NVAO's conclusion

The draft assessment report is submitted to the SHEI for correction of factual inaccuracies. The SHEI then has 15 days from the day of receipt of the draft report to convey factual errors to NVAO. After this factual error check, NVAO assesses the internal consistency of the report and the justification of the panel's conclusion and, if necessary, NVAO will suggest adjustments to the panel to clarify the findings or strengthen the substantiation of the report. Ownership of the assessment report remains vested with the panel. In addition to conveying factual errors, the SHEI can separately submit its comments on the draft report.

When drawing up its draft conclusion, NVAO may ask the SHEI and/or the panel for additional information, explanations, and clarifications. NVAO's draft conclusion consists of an advice to the Minister and the underlying assessment report. NVAO will forward its draft conclusion to the Ministry of Research and Higher Education.

The Ministry of Research and Higher Education then has 15 days, starting from the day of receipt of the draft conclusion, to request factual modifications, for duly motivated reasons. If modifications are requested, NVAO has 15 days to submit its final conclusion.

NVAO's conclusion, consisting of an advice to the Minister and the underlying assessment report, is forwarded to the Ministry of Research and Higher Education no later than 1 February of the expected year of accreditation. If, for duly justified reasons, NVAO is unable to deliver the report by this deadline, NVAO shall notify the Minister in advance, who may extend the deadline once by up to two months. The Minister sends a copy of the extension decision to the SHEI.

3.9 Dispute resolution

If, during the assessment process, matters arise that could impact the independence of the assessment, stakeholders such as panel members, process coordinators, secretaries, staff of the SHEI, or students, may report such matters to NVAO via the dispute resolution available on NVAO's website. This also covers issues related to inconsistent implementation, where the established procedures have not been correctly applied.

A judicial appeal before the Administrative Tribunal must be filed within 3 months from the date of notification of the decision to the SHEI. This timeframe can be suspended, if the SHEI files an informal appeal (*recours gracieux*) within the 3 month period.

A new 3 month time limit for bringing the case before the Administrative Tribunal begins to run from the notification of the decision taken upon the informal appeal.

Both appeals can only be targeted against a decision of the Minister of Research and Higher Education.

In Luxembourgish administrative procedural law, the assessment report from NVAO is deemed to be a preliminary act and cannot be directly contested before the Tribunal.

3.10 Legal outcomes

Based on NVAO's advice and underlying assessment report, the Minister in Luxembourg takes the accreditation decision.

Positive initial accreditation decision

The positive initial accreditation decision is valid for five years. The accreditation period starts from 15 September of the year of the ministerial decision.

Negative initial accreditation decision

In the event of a negative initial accreditation, the SHEI may reintroduce an accreditation file, beginning with the admissibility procedure in the subsequent accreditation period, as long as no other study programme has been conditionally reaccredited in the meantime. If however another programme has been conditionally reaccredited, Article 61 of the Higher Education Law of 21 July 2023¹⁶ will apply, hence blocking a new application for the initially not accredited program as long as the conditional reaccreditation is not lifted.

Positive re-accreditation decision

The positive re-accreditation decision is valid for five years and the new accreditation period directly follows the previous accreditation period. In case of a positive re-accreditation decision following a previous decision for conditional re-accreditation, the period of conditional re-accreditation is deducted from the five-year timeframe.

Conditional re-accreditation decision

The conditional re-accreditation period does not exceed one year and directly follows the previous accreditation period. A conditional re-accreditation decision involves one or more conditions that are remediable within one year.

In case of a conditional re-accreditation, the panel appointed by NVAO issues an advice based on the programme's additional file, transferred to NVAO by the Minister. The panel investigates whether the condition(s) has/(have) been met.

Negative re-accreditation decision

The SHEI cannot admit new students into the programme.

Based on article 60(2) of the Higher Education Law of 21 July 2023¹⁷, the programme remains accredited for a period of three academic years for students enrolled in the programme to guarantee that those students can finish their studies.

3.11 Publication

After the whole accreditation procedure, NVAO publishes its advice and the underlying assessment report on its website and in DEQAR.

The Minister's accreditation decision is published on the website of the Ministry of Research and Higher Education.

3.12 Modifications

Any request to modify an accredited Bachelor's and Master's programme or plan of activities in relation to the data recorded in the corresponding accreditation must be submitted to the Minister at least three months before its practical implementation. This request takes the form of a letter accompanied by a document setting out the reasons for and content of the proposed modification. The Minister may instruct NVAO to examine the application and prepare a report on it. To this end, the NVAO draws up an assessment report within the specified time limit on the basis of

¹⁶ https://legilux.public.lu/eli/etat/leg/loi/2023/07/21/a470/jo#art_61

¹⁷ https://legilux.public.lu/eli/etat/leg/loi/2023/07/21/a470/jo#art_60

which the Minister can reach a decision. Changes to the data on the basis of which accreditation has been granted must be approved by the Minister before they are put into practice, failing this the accreditation will be withdrawn.

Preferably, NVAO works with the assessment panel that previously investigated the programme's quality. The ground rules as laid down in this assessment framework also apply here.

4 Required documentation

In accordance with art. 58(1) of the Higher Education Law of 21 July 2023¹⁸, the self-assessment report documents compliance with the criteria in Annex D¹⁹. This is an evidence-based approach; the SHEI demonstrates that it meets the criteria by providing the necessary documents and annexes, which it deems appropriate and relevant to the evaluation. The SWOT-analysis provides a critical self-analysis on the assessment areas and criteria prescribed by the law.

4.1 Administrative data regarding the SHEI and the programme

The administrative data are included in the application.

Administrative data regarding the SHEI:

1. Name;
2. Address, website;
3. Name, position, telephone number and email address of the liaison.

Administrative data regarding the programme:

1. The degree, the qualification of the degree, and if applicable, the specification of the degree;
2. If applicable, the title that holders of the degree conferred by this programme may use;
3. The field of study, part of a field of study or fields of study within which the programme is categorised;
4. The specialisations, if any;
5. The listing of educational offer, such as full-time/part-time education, day/evening trajectories, different formats of certification;
6. The location(s) at which the programme is taught;
7. The language(s) of instruction;
8. The workload expressed in credits;
9. The connecting options and potential further education;
10. If the profession in question is regulated, a certification by the competent authority overseeing the respective professional field.

4.2 Required annexes to the self-evaluation report

The following verifiable facts are included as annexes to the self-evaluation report:

1. SWOT-analysis: for each assessment area, the report includes an analysis of strengths, weaknesses, opportunities, and threats of maximum one page;
2. Information at institutional level:
 - a. Strategic and financial plan;
 - b. Staff scaling and information on career paths;
 - c. Employment rate of permanent staff in FTE;
 - d. Student/staff ratio per programme; permanent/non-permanent staff ratio per programme;
 - e. Research output of staff allocated to the SHEI;
 - f. International mobility numbers;
 - g. Number of student representatives and information on which boards they have a seat and voting rights;
 - h. Information on relevance studies/market analysis for new programmes;
 - i. Infrastructure plan;
 - j. Quality assurance policy/handbook.

¹⁸ https://legilux.public.lu/eli/etat/leg/loi/2023/07/21/a470/jo#art_58

¹⁹ https://legilux.public.lu/eli/etat/leg/loi/2023/07/21/a470/jo#attachment_4

3. Information at the programme level:

- a. The intended learning outcomes of the programme;
- b. The corresponding programme name in neighbouring countries;
- c. A schematic overview of the entire curriculum;
- d. A description of the content of the curriculum (via ECTS files) stating for each of the courses/modules the intended learning outcomes, teaching/learning formats, manner of student assessment, literature (required/recommended), number of credits;
- e. A description of the staff: documents that provide insight in the competencies of the already present and intended profiles;
- f. Overview of the contacts with the professional field;
- g. Assessment policy; teaching and examination regulations;
- h. Staff professionalisation information;
- i. Information on student counselling and guidance.

The panel may request additional information in order to come to a judgement (e.g. examples of student work/exams and assessment results).

The list of documents studied is included in the assessment report.

Colophon

QUALITY ASSURANCE SYSTEM LUXEMBOURG

Framework for combined assessments at Specialised Higher Education Institutions

3 July 2024



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