

Methodology

of 21/12/2016

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regulating the activities
carried out in Romania by
foreign quality assurance
agencies registered in the
European Quality Assurance
Register for Higher Education
(EQAR)

Art. 1. - (1) Higher education institution may request external evaluation from any quality assurance agency, domestic or foreign, registered in the European Quality Assurance Register for Higher Education (EQAR), further on referred to as authorised agency, only in the case of the following quality assurance processes:

- a) provisional authorising, accreditation, establishing of the maximum number of students that can be included in study programmes and who can be awarded a graduation diploma, and periodical evaluation of the bachelor's study programmes;
- b) accreditation and establishing of the maximum number of students that can be included in study programmes and who can be awarded a graduation diploma, and periodical evaluation of the master's degree study programme domains;
- c) accreditation and periodical evaluation of doctoral programmes, per domains;
- d) accreditation and periodical evaluation of a higher education institution.

(2) Higher education institutions may request an external evaluation of a study programme with a view to changing the maximum number of students that can be included in study programmes and who can be awarded a graduation diploma only from the quality assurance agency that has performed the previous evaluation of that programme.

(3) Within one year from communication of the report ascertaining non-compliance with the quality standards in the bachelor's degree study programmes/master's degree study domains to the education provider, the concerned education provider has the obligation to request the same quality assurance agency who has performed the previous evaluation to carry out a new external evaluation process.

(4) Within one year from communication of the report ascertaining non-compliance with the quality standards concerning doctoral domains to the education provider, the concerned education provider has the obligation to request the same quality assurance agency who has performed the previous evaluation to carry out a new external evaluation process.

(5) Within two years from the issuing of the report ascertaining non-compliance with the quality standards in an institutional evaluation, the concerned education provider has the obligation to request the same quality assurance agency who has performed the previous evaluation to carry out a new external evaluation process.

Art. 2. - (1) Before the start of the evaluation process, education providers who intend to request external evaluation from an authorised agency registered in EQAR shall consult with the Romanian Agency for Quality Assurance in Higher Education (ARACIS) on the terms of reference and the external evaluation methodology to be used in the evaluations set forth at art. 1 par. (1).

(2) The terms of reference shall be drafted and agreed by the education provider and the authorised agency, and developed in strict compliance with the Standards and Guidelines for Quality Assurance in the European Higher Education Area (ESG). Such terms of reference shall only envisage the following:

- a) the transparency of the evaluation process;
- b) the independence of the external evaluation/ visiting team from the evaluated institution;
- c) the expertise of the evaluators;
- d) the contractual rights and obligations agreed by the education provider and the authorised agency, including those covered at art. 5 and 6 of this methodology.

(3) The external evaluation methodology used by the authorised agency may also include additional criteria, standards and indicators which complement the national ones, which, however, shall not go against the regulatory framework in force and shall be agreed with the education provider undergoing the evaluation, prior to initiating the evaluation process. The decision of the authorised agency shall only be made based on the national standards and shall not be influenced by the complementary standards.

(4) The education provider requesting evaluation by an authorised agency shall send ARACIS the documents certifying compliance with the terms of reference, as well as the methodology that will be used.

(5) After analysis, by the ARACIS departments pertaining to the envisaged type of evaluation, of the methodology to be used and the terms of reference described at par. (2), the ARACIS Council shall express its agreement/disagreement regarding the compliance of such methodology and terms of reference with the national legislation and the ESG. Following this decision, the education provider shall be informed whether they can initiate the external evaluation process or not, as applicable.

Art. 3. - (1) Reports produced as a result of the external evaluations carried out in Romania by foreign quality assurance agencies registered in EQAR shall include the recommendation of the authorised agency concerning, as applicable, the maximum number of students that can be included in study programmes; the authorising/no authorising; accreditation/no accreditation/maintaining of the accreditation/withdrawing the accreditation of the bachelor's degree programme/the master's degree domain/the doctoral school/the institution, as well as the duration of the validity of ARACIS advice, as per the recommendation.

(2) External quality evaluation reports produced by the authorised agencies shall be submitted to ARACIS.

Art. 4. - (1) The ARACIS departments pertaining to the specific type of evaluation shall conduct an analysis regarding the compliance of the external evaluation process and report with the national legislation, the methodology and the terms of reference, manifested both during the external evaluation and during the drafting of the evaluation report. Such analysis shall be presented to the ARACIS Council.

(2) After presentation of the analysis described at par. (1) to the Council, the ARACIS Council shall decide to validate or, as applicable, invalidate the external evaluation report, and motivate such decision in writing. The decision of ARACIS

shall strictly refer to the compliance of the evaluation process, and it shall not concern the content of the external evaluation report or the recommendation of the authorised agency.

(2) The reports produced by authorised agencies as a result of external evaluations conducted in Romania, together with the evaluation mentioned at par. (1), shall be submitted to the General Direction for Higher Education (DGIS).

(3) The Ministry of National Education and Scientific Research shall acknowledge the decision of the authorised agencies and certify it by ministerial order or by government decision, as applicable.

(4) The authorised agency and the Ministry of National Education and Scientific Research shall publicise, on their own websites, the external evaluation reports produced by the authorised agencies and the ARACIS evaluation mentioned at par. (1).

Art. 5. - The evaluation process organised by the authorised agency carrying out the activities set forth at art. 1 par. (1) must include a stage where the education provider undergoing the evaluation process is offered the possibility to correct any discrepancies of the collected data/information in the content of the external evaluation report.

Art. 6. - In case of complaints, the following provisions shall apply:

a) if a complaint concerns the external evaluation processes set forth at art. 1 par. (1), the content of the evaluation reports and/or the recommendation of the authorised agency, upon request of the education providers, the complaint procedure of the authorised agency, also envisaged in the terms of reference, shall be applied;

b) in the event of a complaint concerning the conformity of the evaluation, compliance with the methodology and the terms of reference set forth at art. 2 par. (2), such complaint shall be dealt with under the complaint procedure of the authorised agency, in compliance with the provisions of the terms of reference;

c) in the event of a complaint concerning the judgement of the ARACIS Council, the evaluation report shall be sent back to the ARACIS departments pertaining to the type of evaluation, which shall review it again. The ARACIS Council shall recommence the process for the validation/invalidation of the external evaluation report. In this case, the decision of the ARACIS Council shall be final. The education provider has the obligation to request a new evaluation from any authorised agency in order to comply with the calendar deadlines as established by the law;

d) in the event in which the complaints concerning breach of the methodology and terms of reference by the authorised agencies are accepted, both ARACIS and the Ministry of National Education and Scientific Research reserve the right to file a notification to EQAR regarding violation of the national legislation by the authorised agencies.

Art. 7. - Since the activity of ARACIS is regulated under the national regulatory framework in force, within the context of this methodology, the term "authorised agency" refers to quality assurance agencies from abroad, registered in EQAR, other than ARACIS.