

# **Regulations concerning accreditation, evaluation and approval pursuant to the act relating to universities and colleges and the act relating to private colleges**

**Laid down by the Ministry of Education and Research 2 January 2003 pursuant to sections 2, subsections 8, 12, 13 and 48, subsection 1 of Act No. 22 of 12 May 1995 relating to universities and colleges and sections 9, 10a and 10b of Act No. 53 of 11 July 1986 relating to private colleges.**

## **CHAPTER 1 GENERAL PROVISIONS**

### **Section 1 Scope**

The regulations apply to consideration of cases pursuant to section 1, subsection 2, chapter 3 and section 48 of the Act relating to Universities and Colleges and consideration of cases pursuant to sections 9 and 10a of the Act relating to private colleges as well as establishment of requirements regarding the quality assurance system at state and private institutions of higher education.

### **Section 2 Competence**

1. The board of the Norwegian Agency for Quality Assurance in Education (NOKUT), in these Regulations referred to as NOKUT, constitutes a quorum for consideration of cases pursuant to these Regulations when the Chairman or the Deputy Chairman and three other members are present. In the event of a tied vote, the vote of the Chairman shall prevail.
2. NOKUT shall appoint experts to conduct evaluations. Such experts shall have competence within at least one of the following fields:
  - a) evaluation
  - b) quality assurance
  - c) the field to be evaluated or another relevant field
3. NOKUT shall establish detailed criteria for the competence of such experts and for their appointment.

### **Section 3 The relationship to the Public Administration Act**

The Public Administration Act shall apply in consideration of cases pursuant to these Regulations, with the following exceptions and specifications:

- a) Decisions pursuant to sections 5, 6, 8, 9, 10, 11, 12 and 13 are regarded as individual decisions pursuant to section 2, first paragraph (b) of the Public Administration Act.
- b) Only a person to whom a decision applies directly may appeal against decisions made by NOKUT.
- c) NOKUT's professional assessment of the factual circumstances in connection with decisions pursuant to sections 5, 6, 8, 9, 10 and 11 may not be appealed.

## **CHAPTER 2 THE QUALITY ASSURANCE SYSTEM**

### **Section 4 Requirements regarding the quality assurance system**

1. Institutions subject to the Act relating to universities and colleges and private colleges accredited pursuant to section 10a of the Act relating to private colleges shall have a system which satisfactorily documents work on quality assurance and which is

capable of revealing poor quality.

2. The quality assurance system shall be applied to all processes of importance for the quality of study programmes, beginning with the information provided to potential applicants and ending with completion of the course. Routines shall be included for students' evaluation of teaching, for the institutions self-evaluation and its follow-up of evaluations, documentation of the institution's development of the learning environment and routines for quality assurance of new course programmes.
3. The institutions shall have routines that ensure continuous improvement of the system.
4. NOKUT shall establish, in consultation with the sector, criteria in relation to which the quality assurance system shall be evaluated.

### **Section 5 Evaluation of the institutions' systems for quality assurance**

1. NOKUT shall evaluate the system for quality assurance at institutions subject to the Act relating to universities and colleges and private colleges accredited pursuant to section 10a of the Act relating to private colleges. Evaluation of the system for quality assurance shall include the system's structure, the documentation it produces and the assessments of educational quality conducted by the institution itself. A maximum period of six years shall elapse between evaluations of individual institutions. NOKUT shall establish a schedule for the evaluation.
2. NOKUT shall appoint experts to conduct the evaluation and lay down terms of reference for the evaluation.
3. The experts shall indicate areas where the institution should further develop its systems and shall advise as to whether the system as a whole is satisfactory.
4. NOKUT shall send the expert evaluation report to the institution, which shall be allowed a time limit of at least six weeks to submit its views.
5. If, after the institution has submitted its views, NOKUT finds fundamental defects in the quality assurance system, the institution shall be allowed a time limit of six months to correct matters.

### **Section 6 Withdrawal of the authority to establish course programmes**

1. If NOKUT, on the basis of the experts' report, the views stated by the institutions, any measures and any new associated expert assessment, decides that an institution's system for quality assurance is unsatisfactory, this decision shall be forwarded to the Ministry. The decision shall also be sent to the institution concerned, stating the time limit for an appeal.
2. If the decision is not appealed within the time limit for an appeal, the Ministry shall withdraw the institution's authority to establish new study programmes provided by section 46 of the Act relating to universities and colleges or by section 10b of the Act relating to private colleges.
3. Withdrawal of the authority to establish study programmes shall apply until NOKUT has conducted a further evaluation of the institution's system for quality assurance. The institution may require a new evaluation to be conducted within a year following the Ministry's withdrawal of the right to establish study programmes. When deficiencies in the quality assurance system have been corrected, the institution must itself approach NOKUT to request a new evaluation. If, after a new evaluation, NOKUT finds the system for quality assurance satisfactory, the Ministry shall grant the institution the authority to establish new study programmes that the institution is accredited for, cf. section 46 of the Act relating to universities and colleges and section 10b of the Act relating to private colleges.

## **CHAPTER 3 ACCREDITATION OF INSTITUTIONS AND COURSE PROGRAMMES AND APPROVAL OF EXAMINATIONS AND DEGREES**

### **Section 7 Standards for accreditation of institutions**

1. This provision lays down the standards that shall form the basis of accreditation of colleges pursuant to section 10 a of the Act relating to private colleges and of universities and specialized institutions at university level pursuant to the section 13, subsection 1 (b) of the Act relating to universities and colleges.

2. The institution's possession of a satisfactory system for quality assurance (cf. sections 4 and 5) is a precondition for accreditation.

3. Accreditation as a college is dependent on the following conditions:

- a) The institution's primary activities must be higher education, research and dissemination of knowledge.
- b) The institution must have the right to award lower degrees for at least one study programme and have awarded lower degrees for at least two years.
- c) The institution must have research and development activities (R&D) related to its fields.
- d) The institution must have independent competence in major fields included in the study programme.
- e) The institution must have an academic library.
- f) The institution must have a board with representatives from the staff and students
- g) The institution must have an infrastructure and organization for conducting higher education.

4. In order to be accredited as a specialized institution at university level, the following conditions must be fulfilled:

- a) The conditions in subsection 3 must be fulfilled
- b) The institution must have an academic staff and stable research activities of a high standard.
- c) The institutions must have an organization and infrastructure for conducting higher education and research.
- d) The institution must have the right to award higher degrees for at least one study programme or other programmes of at least 5 years' duration, and have awarded higher degrees for at least two years.
- e) The institution must have an independent right to award doctorates and have stable research training.
- f) The institution must be affiliated to national and international networks in connection with higher education and research and participate in the national cooperation as regards research training.

5. In order to be accredited as a university, the following conditions must be fulfilled:

- a) The conditions in subsection 3 must be fulfilled.
- b) The institution must have an academic staff and stable research activities of a high

standard.

c) The institution must have an organization and infrastructure for conducting higher education and research.

d) The institution must have an independent right to award higher degrees or hold other study programmes of at least five years' duration in at least five areas as well as lower-degree programmes in a number of fields. The institution must award degrees in most of these fields.

e) The institution must have an independent right to award doctorates in at least four fields, of which two fields must be of major relevance for regional development while also having national importance. The institution must have stable research training.

f) The institution must be affiliated with national and international networks in connection with higher education and research and participate in national cooperation as regards research training.

6. NOKUT shall lay down regulations providing detailed criteria for accreditation.

### **Section 8 Accreditation of institutions**

1. Institutions subject to the Act relating to universities and colleges and institutions with the right to hold examinations or with accreditation pursuant to the Act relating to private colleges may apply to NOKUT for accreditation of the institution.

2. NOKUT shall appoint experts to conduct the academic assessment of the application for accreditation of institutions and lay down terms of reference for the evaluation.

3. NOKUT shall send the report of the experts to the institution concerned, which shall be allowed a time limit of at least six weeks to submit its views before NOKUT makes a decision.

4. If an institution's application for accreditation in another institutional category is rejected, NOKUT may decide that a new application may not be submitted until a period of 2 years has elapsed.

5. NOKUT's decisions concerning accreditation as a college, university or specialized institution at university level shall be forwarded to the Ministry.

6. NOKUT's decisions concerning accreditation as a college shall state the authorities entailed by the accreditation, cf. Section 10b, first, second and third paragraph, of the Act relating to private colleges.

### **Section 9 Accreditation of study programmes**

1. Institutions subject to the Act relating to universities and colleges and institutions accredited pursuant to section 10a of the Act relating to private colleges may apply to NOKUT for accreditation of study programmes that the institution does not have the authority to establish.

2. NOKUT shall appoint experts to conduct the academic assessment of such an application for accreditation of study programmes and lay down terms of reference for the evaluation.

3. NOKUT shall send the report of the experts to the institution concerned, which shall be allowed a time limit of at least six weeks to submit its views before NOKUT makes a decision.

4. NOKUT shall issue regulations providing the standards on which accreditation of study programmes shall be based. Prior to this, NOKUT shall procure proposals from the sector.

5. NOKUT shall ensure that the standards comply with the international standards that Norway is obliged to follow.
6. Any regulations laid down pursuant to section 10b of the Act relating to private colleges, section 45, subsection 1 of the Act relating to universities and colleges and framework plans, cf. section 46, subsection 4 of the Act shall be taken into consideration in relation to the accreditation.
7. In connection with accreditation of research training, NOKUT shall conduct an assessment of the significance of the field concerned for the creation of economic value in the region and its national importance, cf. section 7, subsection 5 (e).
8. If an accreditation application is rejected, NOKUT may decide that up to two years must elapse before a new application may be submitted.

### **Section 10 Revision of accreditation**

1. NOKUT may independently conduct an evaluation of an institution or a study programme with a view to revision of a previously granted accreditation.
2. Standards laid down in section 7 or pursuant to this section or to section 9 shall be adopted as the basis of the evaluation. In connection with the revision of established study programmes, NOKUT shall also take into consideration the academic level of the study programme and documented results.
3. NOKUT shall appoint experts to conduct the evaluation, and shall lay down terms of reference for the evaluation.
4. NOKUT shall send the experts' report concerning evaluation of a study programme or an institution to the institution concerned, which shall be allowed a time limit of at least six weeks to submit its views.
5. If NOKUT finds that a study programme fails to comply with the requirements imposed, the institution shall be allowed a time limit of six months to implement measures to improve this.
6. NOKUT's decision to withdraw accreditation of a study programme shall be sent to the institution concerned with a copy to the Ministry. The institution shall withdraw the study programme immediately. The Ministry shall implement the withdrawal of rights granted pursuant to sections 45 and 46 of the Act relating to private colleges and section 10b of the Act relating to private colleges.
7. An institution that has lost accreditation for a study programme shall enter into an agreement with another institution that can assume the academic responsibility for ensuring that the students are able to sit an examination, or implement measures, approved by NOKUT, to enable the students to complete the programme at the institution.
8. If NOKUT finds that an institution fails to fulfil the requirements regarding accreditation, cf. section 7, the institution shall be allowed a time limit of six months to correct deficiencies. The experts shall then conduct an assessment of whether this is sufficient to bring the institution up to the necessary academic level.
9. NOKUT's decision to withdraw accreditation of an institution shall be sent to the Ministry, which shall withdraw the rights entailed by the accreditation.
10. The owner of an institution that has lost its accreditation as a higher education institution shall enter into an agreement with another institution that provides equivalent programmes or implement measures, approved by NOKUT, to enable the students to complete the programme at the institution.
11. If NOKUT finds that an institution no longer fulfils the requirements imposed for a specific category of institutions, the decision shall be forwarded to the Ministry with NOKUT's recommendations.

### **Section 11 approval of examinations and degrees pursuant to the Act relating to private colleges**

1. NOKUT shall consider applications for approval of individual study programmes pursuant to section 9 of the Act relating to private colleges. NOKUT shall appoint professional experts to consider the application. NOKUT shall establish terms of reference and criteria for expert assessment. NOKUT shall also consider applications for substantial changes to previously approved programmes and for the extended right to hold examinations for previously approved programmes.
2. In connection with applications for the right to award degrees, NOKUT shall conduct preliminary investigations and obtain expert assessment. Approval decisions shall be forwarded to the Ministry with NOKUT's recommendations.
3. NOKUT shall prepare guidelines for applications for the right to hold examinations, including requirements regarding the formulation of such applications and regarding documentation of the form of management and rules, etc. pursuant to chapter 2 of the Act relating to private colleges.
4. A grant of the right to hold examinations shall apply as stated in the letter of approval from NOKUT or the Ministry. A course approved as a full-time or part-time course may be provided respectively as a part-time or full-time course at the same institution and in accordance with the same teaching model provided that the course otherwise complies with the approval.

## **CHAPTER 4 APPROVAL OF QUALIFICATIONS FROM A FOREIGN OR NORWEGIAN INSTITUTION NOT SUBJECT TO THE ACT RELATING TO UNIVERSITIES AND COLLEGES OR THE ACT RELATING TO PRIVATE COLLEGES. EXEMPTION FROM EXAMINATIONS OR TESTS**

### **Section 12 General approval**

1. NOKUT considers applications for general approval of foreign qualifications and Norwegian qualifications that do not fall under the Act relating to universities and colleges or the Act relating to private colleges. Such approval shall include a specification of the number of ECTS credits awarded in relation to courses held pursuant to section 45 of the Act and indicate whether the academic level and scope of the qualification corresponds to Norwegian degrees.
2. Application for general approval shall enclose certified documents from the educational institution concerned or attested copies of such documents. NOKUT may issue further guidelines concerning requirements regarding documentation.
3. In connection with general approval of foreign qualifications, NOKUT shall ensure that the qualifications for which approval is applied are approved at the higher education level in the country concerned. In exceptional cases, NOKUT may grant exemptions from this.
4. General approval may be granted for a specific period. NOKUT shall withdraw its approval when it finds that qualifications are no longer academically equivalent to Norwegian higher education. In the event of changes or expiry of general approval, NOKUT shall ensure that satisfactory transitional arrangements are made.
5. NOKUT shall ensure that decisions concerning general approval are made public.
6. NOKUT shall ensure the fostering of Norwegian interests and obligations pursuant to international agreements concerning approval and information on higher education. NOKUT may be assigned national responsibilities in this area.

### **Section 13 Approval as academically equivalent with degrees, parts of degrees or qualifications awarded by the institution. Exemption from examinations and tests**

1. Institutions subject to the Act relating to universities and colleges and private colleges accredited pursuant to section 10a of the Act relating to private colleges shall themselves decide in the case of individual applications for approval of foreign or Norwegian qualifications not subject to the Act whether or not to approve such qualifications as academically equivalent to degrees, parts of degrees or qualifications awarded by the institution, cf. section 48, subsection 2 of the Act. The institution shall report its decisions to NOKUT.
2. Private colleges accredited pursuant to section 10a of the Act relating to private colleges shall themselves decide whether exemption may be granted from examinations or tests on the basis of qualifications awarded by institutions not subject to the Act relating to universities and colleges or by institutions which do not have the right to hold examinations pursuant to section 9 of the Act relating to private colleges. Exemption from examinations or tests shall be granted when it is proved that an equivalent examination has been taken at another institution.

## **CHAPTER 5 APPEALS**

### **Section 14 Appeal board**

1. The Ministry shall appoint an appeal board to decide appeals against decisions made by NOKUT.
2. The appeal board shall have five members and personal deputies. One member shall be a student. The Chairman and Deputy Chairman shall fulfil the statutory qualification requirements for judges of the Court of Appeal.
3. The Chairman shall not be an employee or member of the board of an institution subject to the Act relating to universities and colleges or the Act relating to private colleges.

### **Section 15 Decisions of the appeal board**

1. The appeal board constitutes a quorum when the Chairman, or Deputy Chairman, and three other members are present. In the event of tied votes, the Chairman's vote shall prevail.
2. Decisions of the appeal board may not be appealed.

## **CHAPTER 6 FINAL PROVISIONS**

### **Section 16 Transitional rules**

1. Within one year from the entry into force of these Regulations the institutions shall have developed a satisfactory system for quality assurance.
2. Within five years from the entry into force of these Regulations, the quality assurance systems of all institutions shall have been subjected to evaluation, cf. section 5.

### **Section 17 Amendments to other regulations**

Regulations No. 1268 of 15 April 1992, concerning approval of qualifications as academically equivalent to degrees, laid down pursuant to section 49 of the Act relating to universities and colleges, and Regulations No. 1130 of 26 October 1999 concerning approval of foreign qualifications as academically equivalent to the

sivilingeniør and siviløkonom degrees are hereby repealed.

**Section 18 Entry into force**

The regulations shall enter into force immediately.