

# Organisational Regulations of the Swiss Accreditation Council

## (OReg-SAC)

of 12 March 2015 (Status as of 1 January 2022)

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*The Swiss Accreditation Council,*

based on Article 21 paragraph 5 of the Federal Act on Funding and Coordination of the Swiss Higher Education Sector of 30 September 2011<sup>1</sup> (HEdA), and on Article 2 paragraph 2 letter d number 1 of the Federal-Cantonal Agreement of 26 February 2015<sup>2</sup> on Cooperation within the Higher Education Sector (ZSAV-HS),

*issues the following Regulations:*

### **Art. 1** Object

<sup>1</sup>These Regulations govern the details of the organisation of the Swiss Accreditation Council (Accreditation Council).

<sup>2</sup>In addition, they list the organisational provisions and tasks that are already set forth in superordinate legislation.

### **Art. 2** Organisation of the Accreditation Council

<sup>1</sup>The Accreditation Council is the joint federal and cantonal body for accreditation and quality assurance within the Swiss higher education sector. It is also the accreditation authority for accreditation procedures under HEdA.

<sup>2</sup>Under Article 21 paragraph 4 HEdA, the Accreditation Council is independent of instructions.

<sup>3</sup>Under Article 22 paragraph 2 HEdA, the Accreditation Council supervises the Swiss Agency of Accreditation and Quality Assurance (Swiss Accreditation Agency).

### **Art. 2a<sup>3</sup>** Secretariat of the Accreditation Council and administrative support for the Accreditation Council

<sup>1</sup>The Swiss Accreditation Agency runs the Secretariat of the Accreditation Council. The tasks of the Secretariat include:

- a. preparing the meetings of the Accreditation Council, the Presidium of the Accreditation Council and possible committees of the Accreditation

<sup>1</sup> SR 414.20

<sup>2</sup> SR 414.205

<sup>3</sup> Inserted in accordance with the decision of the Accreditation Council of 24 September 2021; approved by the Higher Education Council on 25 November 2021.

Council, as well as – in particular at the request of the Council – reviewing the accreditation applications and the proposals for decisions on admission in accordance with Article 10 paragraph 1 HEdA Accreditation Ordinance;

- b. drawing up the minutes of the meetings of the Accreditation Council, the Presidium of the Accreditation Council and possible committees of the Accreditation Council;
- c. preparing the decisions of the Accreditation Council and the Presidium of the Accreditation Council, editing and communicating the decisions as well as monitoring the implementation of the decisions;
- d. establishing, developing and monitoring the website and the intranet of the Accreditation Council;
- e. providing general administrative support to the Accreditation Council and the Presidium of the Accreditation Council, in particular with regard to finances, accounting, appeals and projects.

<sup>2</sup> The Accreditation Council shall conclude a performance agreement with the Swiss Accreditation Agency regarding the guarantee of the Secretariat. The performance agreement must in any case state that the Swiss Accreditation Agency:

- a. provides the Accreditation Council with at least one Secretary who is professionally subordinate to the President of the Accreditation Council;
- b. may, with the consent of the President of the Accreditation Council and with prior approval or at the suggestion of the Secretary, issue mandates to third parties.

### **Art. 3** Members

<sup>1</sup> Under Article 21 paragraph 1 HEdA, the Accreditation Council comprises 15–20 independent members representing in particular higher education institutions, the world of work, students, mid-level faculty as well as professors and lecturers. The teaching and research fields at higher education institutions as well as the genders must be adequately represented. A minority of at least five members must be mainly involved in activities abroad.

<sup>2</sup> Based on Article 2 paragraph 2 letter b number 1 ZSAV-HS, the Swiss Higher Education Council elects the members of the Accreditation Council for a four-year term of office. A single re-election is permissible.

<sup>3</sup> The members shall carry out their duties in person. A deputy is not possible.

### **Art. 4** Meetings of the Accreditation Council

<sup>1</sup> Generally, the Accreditation Council meets four times a year. The President, the Presidium as well as one third of the members may convene additional meetings.

<sup>2</sup> The meetings of the Accreditation Council shall be attended by its members and other participants under Article 7 of these Regulations.

<sup>3</sup> Members shall have the right to propose motions and to vote. These rights shall be exercised in person.

<sup>4</sup> Members cannot be accompanied.

<sup>5</sup> Generally, the meeting documents shall be sent to the members and other participants at least two weeks in advance.

<sup>6</sup> The meeting documents shall be drafted in one of the official languages of the Swiss Confederation. If required, the reports shall be translated into English by the Swiss Accreditation Agency.

<sup>7</sup> The negotiations of the Accreditation Council are not public.

#### **Art. 5**            Decision-making

<sup>1</sup> Each member of the Accreditation Council shall have one vote.

<sup>2</sup> The Accreditation Council has a quorum when two thirds of its members are present.

<sup>3</sup> Decisions within the framework of institutional accreditation procedures require a qualified majority of two thirds of the votes of the members present.

<sup>4</sup> For all other decisions and resolutions, a simple majority of the votes of the members present shall apply.

<sup>5</sup> Members may abstain from casting their vote.

<sup>6</sup> Members shall recuse themselves and leave the meeting room if they have a direct interest in any business.

<sup>7</sup> The member in recusal shall be deemed not to be present.

#### **Art. 6**            Decisions by correspondence

<sup>1</sup> Decisions by correspondence of the Accreditation Council are permissible if no member requests that the business be dealt with in a meeting.

<sup>2</sup> Decisions reached by correspondence require a qualified majority of two-thirds of the votes.

#### **Art. 7**            Attendance at the meetings

In addition to the members, the following shall attend the meetings of the Accreditation Council:

- a. the Secretary;
- b. the Director of the Swiss Accreditation Agency with an advisory role;
- c. other guests as needed.

#### **Art. 8**            Minutes

<sup>1</sup> The meetings of the Accreditation Council shall be minuted with a summary of the decision-relevant deliberation as well as the wording of all resolutions in an official language of the Swiss Confederation.

<sup>2</sup> The minutes shall be signed by the President and the person taking the minutes.

<sup>3</sup> The minutes shall be approved by the Accreditation Council.

<sup>4</sup> Decisions by correspondence shall be included in the next minutes.

#### **Art. 9**                      Composition and tasks of the Presidium

<sup>1</sup> The Presidium of the Accreditation Council is composed as follows:

- a. the President and
- b. two Vice-Presidents.

<sup>2</sup> The Presidium prepares the plenary meetings and supervises the Swiss Accreditation Agency.

<sup>3</sup> The Presidium may question the accreditation agency or the applicant institution if there are doubts about the fulfilment of a requirement for admission to the procedure in accordance with Article 10 paragraph 1 of the HEdA Accreditation Ordinance.

<sup>4</sup> The Presidium shall negotiate and conclude the service agreement with the Swiss Accreditation Agency on behalf of the Accreditation Council on the guarantee of the Accreditation Council's Secretariat in accordance with Article 2<sup>a</sup> paragraph 2 of these Regulations.

#### **Art. 10**                      President

<sup>1</sup> The President of the Accreditation Council shall be elected by the Swiss Higher Education Council for a four-year term of office, which may be renewed once.

<sup>2</sup> The President shall lead the Accreditation Council. His or her tasks shall include in particular:

- a. chairing the meetings of the Accreditation Council;
- b. ensuring that the Accreditation Council carries out and completes its tasks in a timely, expedient and coordinated manner;
- c. ensuring the implementation of the decisions of the Accreditation Council;
- d. ensuring that the supervision of the Swiss Accreditation Agency is organized and exercised in an expedient manner;
- e. representing the Accreditation Council externally and signing on its behalf, subject to the Signature Regulations of the Accreditation Council;
- f. advising education policy bodies on questions of accreditation;
- g. informing the public as needed about the business and decisions of the Accreditation Council.

#### **Art. 11**                      Vice-Presidents

The Vice-Presidents of the Accreditation Council are elected by the Swiss Higher Education Council for a two-year term of office. Re-election is permissible.

**Art. 12** Committees

<sup>1</sup> The Accreditation Council may form committees with internal members to prepare decisions under HEdA.

<sup>2</sup> The Accreditation Council may form committees with external members to prepare decisions relating to special legislation, particularly for programme accreditations leading to a federally certified medical profession under the Federal Act of 23 June 2006<sup>4</sup> on the University Medical Professions (MedBG) or under other special legislation.

**Art. 13<sup>5</sup>**

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**Art. 14** Tasks of the Accreditation Council as the accreditation authority

In its capacity as the accreditation authority, the Accreditation Council carries out the following tasks in particular:

- a. Under Article 33 HEdA, on the basis of the request of the responsible accreditation agency, it shall decide on institutional accreditation and on programme accreditation.
- b. Under Article 21 paragraph 6 HEdA, it shall propose its financial plan and shall submit its annual accounts to the Swiss Higher Education Council for approval.
- c. Under Article 21 paragraph 7 HEdA, it may recognise other Swiss or foreign accreditation agencies to carry out procedures under HEdA.
- d. It shall maintain a list of all higher education institutions and other institutions within the higher education sector that have been institutionally accredited under HEdA, as well as a list of all accredited degree programmes.
- e. It shall periodically inform the Swiss Higher Education Council of its activities.

**Art. 15** Tasks of the Accreditation Council as supervisory body of the Swiss Accreditation Agency

<sup>1</sup> The Accreditation Council shall particularly carry out the following tasks in relation to the Swiss Accreditation Agency:

- a. Under Article 2 paragraph 2 letter d number 2 ZSAV-HS, it appoints the Director of the Swiss Accreditation Agency; it appoints the Deputy Director at the request of the Director.

<sup>4</sup> SR 811.11

<sup>5</sup> Repealed in accordance with the decision of the Accreditation Council of 24 September 2021; approved by the Higher Education Council on 25 November 2021 and entered into force on 1 January 2022.

- b. It approves the strategic planning of the Swiss Accreditation Agency at the request of the Director.
- c. It approves the the budget proposal and the annual accounts of the Swiss Accreditation Agency for the attention of the Swiss Higher Education Council at the request of the Director.
- d. It may appoint a Commission AAQ to decide on the procedures of the Swiss Accreditation Agency on behalf of third parties.

<sup>2</sup> Under Article 7 paragraph 2 ZSAV-HS, the Swiss Accreditation Agency is authorised to sign for accreditations and quality assurance procedures on behalf of third parties.

**Art. 16** Internal quality assurance of the Accreditation Council

The Accreditation Council has a procedure for quality assurance of its own activities.

**Art. 17** Remuneration and expenses<sup>6</sup>

<sup>1</sup> The remuneration of the Presidium and the members of the Accreditation Council shall follow the Appointment Decree of the Swiss Higher Education Council.

<sup>2</sup> The Accreditation Council shall regulate the details for setting the fees as well as for covering and settling the expenses. In doing so, it may not exceed the maximum rates according to Articles 41-48 of the EFD Ordinance of 6 December 2001<sup>7</sup> on the Federal Personnel Ordinance (VBPV).

**Art. 18** Delegation of competences in personnel legislation

Under Article 4 paragraph 1 letter b und Article 10 letter c of the Personnel Regulations of the Swiss Higher Education Council of 26 February 2015<sup>8</sup>, the Accreditation Council shall delegate the competence to establish, change and terminate the employment relationships of the Swiss Accreditation Agency employees as well as the competence for all related decisions to the Director of the Swiss Accreditation Agency.

**Art. 19** Recusal

The rules of Article 10 of the Federal Act of 20 December 1968<sup>9</sup> on Administrative Procedure (APA) regarding the conditions for recusal shall apply to the Presidium and the members of the Accreditation Council.

<sup>6</sup> This amendment of 23 March was approved by the Swiss Higher Education Council on 25 May 2018 and came into force on 1 July 2018.

<sup>7</sup> SR 172.220.111.31

<sup>8</sup> [www.shk.de](http://www.shk.de) > Dokumentation > Rechtliche Grundlagen

<sup>9</sup> SR 172.021

**Art. 20** Commencement

These Regulations<sup>10</sup> come retroactively into force on 1 January 2015.

<sup>10</sup> The Organisational Regulations of the Swiss Accreditation Council have been approved by the Higher Education Council on 28 May 2015.