

# COUNCIL OF EUROPE

## COMMITTEE OF MINISTERS

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RECOMMENDATION No. R (97) 1

### OF THE COMMITTEE OF MINISTERS TO MEMBER STATES ON THE RECOGNITION AND QUALITY ASSESSMENT OF PRIVATE INSTITUTIONS OF HIGHER EDUCATION

*(Adopted by the Committee of Ministers on 4 February 1997  
at the 583rd meeting of the Ministers' Deputies)*

The Committee of Ministers, under the terms of Article 15.b of the Statute of the Council of Europe,

Considering that the aim of the Council of Europe is to achieve a greater unity between its members and that this aim can be pursued notably by common action in cultural matters;

Having regard to the European Cultural Convention;

Having regard to European Conventions: No. 15 on the Equivalence of Diplomas leading to Admission to Universities (1953); No. 21 on the Equivalence of Periods of University Study (1956); No. 32 on the Academic Recognition of University Qualifications (1959); No. 49, Protocol to the European Convention on the Equivalence of Diplomas leading to Admission to Universities (1964); No. 69, European Agreement on Continued Payment of Scholarships to students studying abroad (1969); and No. 138 on the General Equivalence of Periods of University Study (1990);

Having regard to Resolution (74) 10 of the Committee of Ministers on the improvement of the present system of information on the equivalence of qualifications in Europe;

Having regard to:

- the First Declaration on the application of the European Convention on the Equivalence of Diplomas leading to Admission to Universities (1974);
- the Second Declaration on the application of the European Convention on the Equivalence of Diplomas leading to Admission to Universities (1989);
- the General Declaration on the European equivalence conventions (1992);

Having regard to Recommendations No. R (84) 13 concerning the situation of foreign students, No. R (85) 21 on mobility of academic staff, No. R (90) 15 with a view to fostering the mobility of researchers and No. R (95) 8 on academic mobility;

Considering that mobility of students has increased substantially, in particular following the important political developments which have occurred since 1989 in central and eastern Europe;

Considering that during the past decades, in response to a new demand, diversification of higher education programmes and institutions has taken place and that this development is now also occurring in all parts of Europe;

Considering that this development, which includes private initiatives, does not necessarily follow the traditional university pattern of higher education, which in most countries has, in so far as it is publicly financed and supervised, an in-built system of recognition and quality assurance;

Considering the growing number of foreign, often non-European, institutions offering higher education programmes or qualifications obtainable from a campus in Europe or through distance learning;

Aware of the growing number of joint international study programmes set up by several institutions of higher education;

Noting the growing trend for non-recognised institutions of higher education to upgrade the value of their qualifications by way of co-operation agreements with recognised institutions;

Considering that not all member states have regulated recognition and quality assessment of institutions, programmes and qualifications of higher education through a comprehensive legal system, nor have they protected the use of academic terms and titles through legislation;

Considering that under such circumstances it is often difficult for both national and non-national experts, applicants and other interested parties to assess correctly the exact status and value of such institutions, programmes and qualifications;

Considering that the growing mobility of students, academic and research staff and qualified personnel in Europe requires a reliable information system in the field of higher education;

Conscious that it is essential within a global economy to protect the reputation of European higher education institutions and qualifications by maintaining and improving their quality and by ensuring transparency of the system both within and outside Europe;

Having regard to the decision by the Council of Europe and Unesco to elaborate jointly a common and comprehensive European convention on the recognition of qualifications concerning higher education in the European region,

1. Recommends that the governments of member states:
  - a. be guided in their policy on recognition and quality assessment of private institutions of higher education by the measures set out in the appendix to this recommendation;
  - b. promote implementation of these measures by the relevant governmental agencies;
  - c. ensure that this recommendation is distributed as widely as possible among all persons and bodies concerned;
2. Instructs the Secretary General of the Council of Europe to transmit this recommendation to the governments of those states party to the European Cultural Convention which are not members of the Council of Europe.

#### Appendix to Recommendation No. R (97) 1

##### **1. Aims**

This recommendation aims at protecting:

- the legal and academic value of recognised higher education qualifications, as well as their value on the labour market;
- reputable institutions of higher education, both public and private, from unfair competition;
- students and their families from being attracted by institutions not recognised as part of higher education, using misleading names and titles and delivering non-recognised qualifications;
- employers from judging applicants on the basis of non-recognised qualifications.

The means advocated to this end primarily consist of:

- the introduction of legislation for the protection of academic terms and titles;
- the setting up by the competent authorities of a system of recognition and quality assessment of institutions of higher education, their programmes and qualifications;
- the appointment of a national agency to provide relevant information both nationally and internationally.

## II. Definitions for the purpose of this recommendation

The term “institution of higher education” means an organisational framework established in order to provide programmes of study at the higher education level (that is, building on the level of competence, knowledge and skills generally acquired through a complete lower and upper secondary education); this term covers institutions belonging to both the university and the non-university sectors. Such institutions may be public or private.

The term “private higher education” refers to institutions set up entirely or largely outside the existing public system of higher education, regardless of the legal status or legal personality of their founders. It does not refer to established institutions of a partly private-law character which are in practice already integrated within the national higher education system from the point of view of recognition, funding and, where appropriate, evaluation. It is for each country to decide whether institutions run by a religious community are to be considered part of the public or private sector.

The term “higher education programme” designates a course of study at the higher education level, the completion of which provides the student with a higher education qualification.

The term “higher education qualification” means any degree, diploma or other certificate issued by a competent authority attesting to the successful completion of a higher education programme. The term “degree” means an academic qualification linked to traditional academic titles (such as bachelor, master, *magister*, *Diplom-Ingenieur*, doctor).

The term “recognition”, applied to private institutions, implies a formal acknowledgement by a competent authority that an institution of higher education and/or its programmes, fulfils generally accepted quality standards and that its qualifications confer on holders (in accordance with legislation) a number of rights, such as access to a further stage of education, to specific occupations, to the use of a title.

The term “quality assessment” covers a range of explicit evaluation procedures concerning the quality of a higher education institution, including its programmes, or only a given programme.

The term “authorisation” is used to indicate that permission has been given to operate an institution and/or to offer a given higher education programme without necessarily implying quality assessment and formal acknowledgement of qualifications by a competent authority; it is thus a level below the term “recognition”.

The term “accreditation” has its origins in the American system and is used in some European countries in the same way as “recognition”.

## III. Principles to be followed for the formulation of a national policy for the recognition and quality assessment of private higher education institutions, their programmes and qualifications

### *Article 1: Legal protection of terms related to higher education and regulation of the award of academic qualifications*

Without in any way restricting a possible right to set up institutions of higher education, the competent national authorities should introduce legislation to:

- protect, in the national or, if appropriate, regional language(s), the equivalent of the term “university” and, if appropriate, of other terms denoting academic structures and institutions;
- define the minimum requirements, in terms of academic and scientific achievements, for the award of academic qualifications linked to traditional academic titles, for example bachelor, *licence*, master, *magister*, doctor.

### *Article 2: Criteria for the recognition of private institutions of higher education and/or their programmes and qualifications*

For the initial recognition of private institutions of higher education, their programmes and qualifications, the competent national authorities should ensure that institutions comply with the following minimal criteria:

- statutes for internal governance should include elective governing bodies and officers;
- these statutes should be approved in accordance with the law by the competent authorities;
- structures, staff and facilities should comply with national standards; in particular, institutions should:
  - have an academic structure and permanent academic positions;
  - have adequate permanent facilities, including a library, corresponding to the teaching and research activities included in their programmes;
  - employ an appropriate number of fully qualified academic staff, a significant proportion of whom should be employed full-time and hold permanent tenure.

- if research training is included in the programmes, the corresponding departments should engage in research;
- teaching should be of an academic level, based on research results; adequate documentation facilities should be available, for example a library and access to computerised information networks;
- descriptions of programmes should include detailed information on entry requirements, subject matter, quantity and forms of teaching, credits, research work required, examinations, qualifications obtained upon successful completion and the rights they confer on the holder;
- entry requirements should follow general regulations, as applied by the corresponding recognised institutions of higher education in the country; admission to basic studies should, as a rule, depend on the possession of a school-leaving certificate granting access to recognised higher education institutions; for post-graduate or doctoral studies the relevant undergraduate qualifications should be required;
- for a degree leading to admission to doctoral studies, the writing of an independent paper should be required; for the award of the academic degree of “doctor” (or corresponding titles) a research thesis should be required;
- the length of the programmes leading to a qualification should be at least two years’ full-time study for short-cycles, higher education qualifications and three years’ full-time study for degree courses;
- a private institution should be authorised to call itself a “university” only if it covers more than one discipline.

This list is given without prejudice to further requirements which countries may feel necessary, such as requirements on private institutions to award a certain number of scholarships to students with low incomes or from other under-represented groups, or a more restrictive treatment of profit-making institutions as compared to non-profit-making institutions.

#### *Article 3: Introduction of a system of quality assessment*

To ensure the quality of teaching, the competent authorities and the higher education community should introduce the following minimum set of measures:

- a system of assessment, aiming at initial and continued evaluation of private institutions of higher education and their programmes and qualifications;
- such a system should take into account first and foremost the traditional European standards and general criteria and methods widely accepted in Europe in this field, and in particular should include an element of external review by experienced academics;
- where qualifications are offered on the basis of joint programmes between institutions of higher education of different countries, quality assessment should be organised under the joint responsibility of all the countries concerned; the competent authorities should in particular assure that only recognised institutions participate in the programmes and that the teaching does, in fact, take place at the institutions where the programmes are offered;
- the system of assessment should seek to ensure minimum standards of teaching and certification equivalent to those of the public institutions of higher education. This equivalence should hold regardless of the way in which these establishments are regulated. Where public institutions are subject to quality assessment, the same or similar procedures should be applied to private institutions.

#### *Article 4: Authorisation, recognition and quality assessment of foreign private higher education institutions and “franchised” programmes of foreign origin*

The following criteria should be applied with regard to authorisation, recognition and quality assessment of foreign higher education institutions operating local branches through a campus, to distance learning or to programmes “franchised” from foreign higher education institutions:

- institutions not authorised in their country of origin should not be authorised in other countries;
- as a rule, the branches, programmes and qualifications of institutions not recognised by the competent authority of the country of origin should not be recognised by the authorities of the host country;
- programmes “franchised” from foreign institutions should be granted recognition if their programmes comply with the standards of similar programmes in the host country;
- branches of foreign institutions recognised in their country of origin should be recognised only after a separate assessment of their programmes and qualifications by the competent authority of the country in which the branch is located.

*Article 5: Language to be used for designating qualifications*

The following rules should be followed by higher education institutions concerning the language to be used when issuing qualifications:

- as a general rule, institutions of higher education should issue qualifications in the language(s) of the country in which they operate or in the language(s) traditionally used for the names of degrees and diplomas in the country in question (such as Latin);
- an exception to this rule may be made when a recognised higher education institution offers programmes entirely in a foreign language;
- in order to facilitate the evaluation of higher education qualifications in foreign countries, higher education institutions are encouraged to issue, as a supplement to their official attestation – such as a diploma – a document describing the qualifications obtained by the student. Higher education institutions are especially encouraged to use the Unesco/Council of Europe Diploma Supplement and to make use of the expertise of the national information centres participating in the European network of national information centres (ENIC) on academic recognition and mobility.

*Article 6: Exchange of information on issues relative to recognition and quality assessment*

In order to facilitate the recognition of qualifications concerning higher education, national information centres for academic recognition and mobility should be established or maintained. The national information centre should:

- be responsible for providing authoritative information on the higher education system and qualifications of its home country, including the status of institutions concerning authorisation to operate, recognition or accreditation, and, where appropriate, results of their quality assessment reviews;
- give a description of the country's recognition and quality assessment system, the conditions for the use of the term "university" and for the award of academic qualifications;
- provide lists of recognised institutions of higher education, including such information as name and address, number of students, types of courses and qualifications offered;
- provide descriptions of qualifications offered by higher education institutions, including length of courses and examination requirements;
- give information on recognition matters, including information on the status of institutions issuing the qualifications for which recognition is sought;
- contribute to the assessment of qualifications, in accordance with national legislation;
- participate in the work of the joint Council of Europe/Unesco European network of national information centres on academic recognition and mobility.