



UNIVERSITY PROGRAMMES APPEALS PROCEDURE

DIRECTORATE OF EVALUATION AND ACCREDITATION

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0. INTRODUCTION

This document includes the appeals resolution procedure of the different Higher Education evaluation programmes established by the Andalusian Agency of Knowledge's Directorate for Evaluation and Accreditation (hereinafter DEVA). The aim of this document is to offer a useful tool both to stakeholders and staff, with different functions, participating in the evaluation procedures.

The appeals resolution procedures are classified with regard to programmes assessed by DEVA and programmes called, reviewed and resolved by DEVA.

1. UNIVERSITY PROGRAMMES APPEALS COMMITTEE

The University Programmes Appeals Committee was created for the review and reports drafting on the appeals against the decisions adopted through the different university evaluation processes participated by DEVA, by providing support to the Directorate for Evaluation and Accreditation.

1.1. Composition

This committee is composed of expert academic, professional and student members, and the procedure and criteria for their appointment are provided in the document "Selection and Appointment of Evaluators".

The committee composition is:

- President (preferably from Legal Sciences academic field).
- Five members expert in each field of knowledge, including Quality Assurance Systems and the Common European Framework of Reference for Languages.
- A professional member.
- A student member.

This composition might be modified in case DEVA is responsible of a new programme which, due to specific characteristics, would require a new expert member.

The committee may request for advice from academic experts in each field of knowledge, who could attend the commission meetings, with voice and without vote.

1.2. Functions

Advising the Directorate for Evaluation and Accreditation on the resolution of the appeals lodged, through the provision of a technical review and analysis of the allegations included in the appeal. Additionally, the commission will also provide the reports on the assessment review concerning teaching staff evaluation procedures upon request by the competent body to resolve the appeal.

After this analysis, DEVA's Director for Evaluation and Accreditation issues the appeal resolution, in accordance with the technical report agreed and provided by the committee on which DEVA's Resolution will be based

1.3. Procedure

The University Programmes Appeals Committee meets periodically to provide and review the information included in the different appeals lodged.

The periodicity of these meetings will depend on the number of appeals received.

The committee's presidency is responsible of the report drafting and motivation.

2. PROGRAMMES CALLED, REVIEWED AND RESOLVED BY DEVA

The Directorate for Evaluation and Accreditation is responsible of the procedure on programmes called by DEVA, and, therefore, it has to resolve the applications received, which means DEVA will be also responsible of the appeals resolutions.

The appeals lodged against DEVA's resolutions are optional reconsideration appeals, in accordance with the provisions in DECREE 92/2011, April 19th, which approved the Andalusian Agency of Knowledge's Statutes and the DECREE 1/2018, January 9th, which modified these Statutes, "*Within the administrative competencies assigned to the Agency, the acts and resolutions by the Presidency, the Governing Council, the Managing Direction and the Directorate for Evaluation and Accreditation, will exhaust the administrative remedies. An optional appeal for reconsideration against these acts and resolutions may be lodged through the administrative channel, in accordance with article 123 of Law 39/2015, October 1st, on the Common Administrative Procedure of Public Administration, and article 115.2 of Law 9/2007, October 22nd.*"

2.1. Procedure for certification of quality assurance systems implemented at Andalusian Universities centres (programme IMPLANTA)

2.1.1. Lodging an appeal

The appeals against the resolutions on IMPLANTA programme, are regulated by point 8th in Resolution of March 4th, 2020, by the Andalusian Agency of Knowledge, Directorate for Evaluation and Accreditation, which provides the procedure on evaluation and certification of the Quality Assurance Systems implemented at andalusian universities centres:

"Against the certification resolution issued by the Directorate for Evaluation and Accreditation, which will exhaust the administrative channel, and optional administrative reconsideration appeal or an administrative-contentious appeal may be lodged against the same entity, in accordance with artículo 123 of Law 39/2015, October 1st, on the Common Administrative Procedure of Public Administration."

The deadline for lodging an optional administrative appeal, which must be submitted by

the university, is a month since the resolution notification date.

2.1.2. Appeal Resolution

After receiving the appeal, the documentation is remitted to the University Programmes Appeals Committee to issue a reasoned report on the aspects included in the appeal.

DEVA will provide a resolution based on this report, within a month deadline since the administrative appeal reception..

2.2 Review of the procedure on accreditation of foreign languages proficiency at Andalusian Universities

2.2.1. Lodging the appeal

The appeals against the resolutions on the evaluation programme on the procedure for accreditation of foreign languages proficiency are regulated by section 6, in Resolution of March 18th, 2013, by the Managing Direction of the Andalusian Agency of Knowledge, which provides the procedure concerning evaluation of accreditation of foreign languages proficiency at Andalusian Universities:

"Against the certification resolution issued by the Directorate for Evaluation and Accreditation, which will exhaust the administrative remedies, and optional administrative reconsideration appeal or an administrative-contentious appeal may be lodged, in accordance with the provisions in article 116 of Law 30/1992, November 26th, within one-month since the reception of notification."

2.2.2. Appeal Resolution

After receiving the administrative appeal, documentation is remitted to the University Programmes Appeals Committee to issue a reasoned report on the aspects included in the appeal.

DEVA will issue a resolution based on this report, within one-month deadline since the administrative appeal reception.

3. PROGRAMMES REVIEWED BY DEVA

An entity in disagreement with a review decision by DEVA, though reported by another Administration institution, can appeal against this decision, through the administrative via, to the corresponding entity within the deadline, modality and procedure provided.

The competent institution to resolve these appeals can request information from DEVA on this issue in order to accept or reject the appeal. In case the appeal is accepted, DEVA might be asked for a new review and a new resolution will be issued.



3.1. Verification/Modification and Accreditation Renewal of official Bachelor, Master and Doctorate Degrees.

3.1.1. Lodging the appeal

Against the resolution on verification, modification or accreditation renewal provided by the competent Ministry, the University may appeal to the Council of Universities Presidency within one-month, in accordance with the procedure established in section 9 and successive, in article 25 of Royal Decree 1393/2007.

The Council of Universities may ratify the resolution or, if applicable, accept the appeal and remit it to DEVA including the aspects which should be reviewed, within a maximum deadline of three-months, since the date of the appeal reception.

3.1.2. Report for appeal resolution

After receiving the documentation from the Council of Universities, it is remitted to the University Programmes Appeals Committee to issue a reasoned report on the aspects included in the appeal.

This report is remitted to the Council of Universities which is the competent entity to provide the appeal resolution.

3.2. Institutional Accreditation

3.2.1. Lodging the appeal

Against the resolution by the Council of Universities, the university will be able to lodge an appeal within one-month since the notification date. In case the appeal is proceeded for consideration, the resolution might be ratified or, if applicable, the appeal might be accepted and remitted to the corresponding quality assurance entity (DEVA), within three-months, since lodging the appeal

3.2.2. Report for appeal resolution

After receiving communication from the Council of Universities, DEVA will remit the appeal to the University Programmes Appeals Committee to review the aspects indicated by the Council of Universities and to issue the corresponding report within one-month deadline. DEVA will remit this report to the Council of Universities which will provide a final resolution within two-months deadline. This will exhaust the administrative remedies and it will notified to the university, the corresponding autonomous community, the competent Ministry and the corresponding quality assurance agency (DEVA)