

A3ES

Agência de Avaliação
e Acreditação
do Ensino Superior

CRITERIA FOR THE ACCREDITATION OF STUDY PROGRAMMES – QUALIFICATION OF TEACHING STAFF –

Version 2.1

June 2021

(updated version according to Decree-Law No.74/2006, 24 March, as last amended by Decree-Law No.65/2018, 16 August, and to Decree-Law No.27/2021, 16 April)

1. Minimum reference criteria on teaching staff qualification for the accreditation of study programmes

The legal framework for the assessment and accreditation of study programmes objectively establishes minimum qualifying criteria to be met concerning the teaching staff. However, such criteria are not always easily articulated with each other, which asks for a concentrated effort to integrate the set of rules applicable to each situation. The following legislation is particularly relevant: article 57 of Decree-Law No. 74/2016, 24 March, amended by Decree-Law No. 65/2018, 16 August. Also relevant are articles 6, 16, 18, 20, 21, 28, 29, and 31 of the same Decree-Law No. 74/2006, as last amended by Decree-Law No. 65/2018, concerning higher education academic degrees and diplomas.

Additionally, articles 6, 7, 42, 44, 47, and 49 of Law No. 62/2007, on the legal status of higher education institutions (RJIES), are also relevant.

Given its relevance to the composition of the teaching staff, in particular, for public higher education institutions, the following must also be taken into consideration:

- Articles 15 and 84 of Decree-Law No. 205/2009, on the legal status of the university teaching career (ECDU)
- Article 30 and 84 of Decree-Law No. 207/2009, on the legal status of the polytechnic teaching career (ECPDESP)

Decree-Law No. 369/2007, which created the Agency for Assessment and Accreditation of Higher Education (A3ES), provides, in article 7, paragraph 5, that “the rules pertaining to the accreditation procedure and its relation to the assessment procedure are approved by the Agency’s Management Board”.

The minimum qualifying criteria to be met in terms of teaching staff by an institution for the accreditation of a study programme are systematized in the following paragraphs, both for university and polytechnic education.

In general terms, and in both subsystems, to accredit a study programme the teaching staff of a higher education institution must comply with the following legal requirements:

- The institution must have a career teaching staff,¹ who are also academically qualified and specialised in the area or areas fundamental to the study programme (articles 6, 16, 29, and 57, and paragraph 1 b) of Decree-Law No. 74/2006, in its current wording)², according to the following conditions:

¹ A3ES has considered that a teacher has a full-time employment in a given educational establishment whenever his/her main or exclusive teaching activity takes place in the said establishment. A teacher cannot be in a full-time employment in more than one institution, of higher education or otherwise.

² Decree-Law No. 74/2006, 24 March, hereinafter referred to as GADES.

- The total teaching staff number is the sum of teachers with teaching activity, in any form, in the study programme, in full-time equivalent (FTE) (article 3, j) of GADES)
- Staff number in FTE corresponds to the total number of staff where teachers with part-time contracts are given the weight corresponding to the percentage of their contracts (article 3, i) of GADES)
- The minimum number of PhDs or specialists mentioned by GADES (career staff and FTE) must be of teachers specialised in the scientific areas of the study programme's curricular structure, in a balanced proportion to the number of credits (ECTS).
- In the case of the accreditation of study programmes in art education, of study programmes integrated into scientific areas where there is proof of the non-existence of academically qualified teaching staff, and of master's and doctoral study programmes with multidisciplinary characteristics, A3ES may adopt the following criteria, in exceptional and justified terms:
 - To admit the existence of lower numbers than those established by articles 6, 16, and 29 of Decree-Law No.74/2006.
 - To set a deadline for the HEI to demonstrate full compliance with the general and special accreditation requirements, admitting this might be made progressively during the first years of the study programme.

1.1 University education

For the accreditation of a first cycle (*licenciatura*), the teaching staff is considered:

- *Career teaching staff*, when the total teaching staff is composed of at least 60% of career teaching staff.
- *Academically qualified*, when the total teaching staff is composed of at least 50% of FTE teachers holding a PhD.
- *Specialised*, when at least 50% of the total teaching staff is composed of FTE specialised in the fundamental training area(s) of the study programme, or at least 60% consists of staff holding a PhD.

For the accreditation of a second cycle (master's - *mestrado*) and integrated master's the teaching staff is considered:

- *Full-time teaching staff*, when the total teaching staff is composed of at least 75% of career teaching or research staff.

- *Academically qualified*, when the total FTE teaching staff is composed of at least 60% of FTE teachers holding a PhD.
- *Specialised*, when at least 50% of the total FTE teaching staff is composed of FTE specialised in the fundamental training area(s) of the study programme, of which at least 80% consists of staff holding a PhD.

For the accreditation of a third cycle (PhD – *doutoramento*), the teaching staff is considered:

- *Full-time teaching staff*, when the total teaching staff is composed of at least 75% of career teaching or research staff.
- *Academically qualified*, when the total teaching staff is entirely composed of teachers holding a PhD. However, in special circumstances, the staff may integrate teachers not holding a PhD but having an academic, scientific or professional curriculum recognized in the accreditation process as attesting the capacity to lecture in the study programme.
- *Specialised*, when at least 75% of the total teaching staff is composed of FTE teachers who hold a PhD in the relevant specialisation area and integrate research units, as defined in paragraph 5 of article 29 of GADES.

1st, 2nd, or 3rd cycle study programme coordinators must have a PhD degree in the fundamental training area(s) of the study programme and be career teaching or research staff in the institution of the study programme.

Table 1 – Minimum percentages (composition) for the teaching and research staff (university education)

	Teaching staff		
	1st cycle	2nd cycle/ Integrated Master's	3rd Cycle
Full-time staff (FTE)	60%	75%	75%
PhDs (FTE)	50%	60%	100%
Staff specialised in the fundamental area(s) of the study programme	50% (of which 60% must hold a PhD)	50% (of which 80% must hold a PhD)	75%*

* Only staff integrated in research units (article 29 of GADES.)

1.2 Polytechnic education

For the accreditation of a first cycle (*licenciatura*), the teaching staff is considered:

- *Career teaching staff*, when the total teaching staff is composed of at least 60% of

career teaching staff.

- *Academically qualified*, when the total teaching staff is composed of at least 50% of FTE teachers holding a PhD.
- *Specialised*, when at least 50% of the total teaching staff is composed of FTE specialists³ of recognized experience and professional competence in the fundamental training area(s) of the study programme, or of staff holding a PhD and specialised in those areas.

For the accreditation of a second cycle (MA - *mestrado*) the teaching staff is considered:

- *Full-time teaching staff*, when the total teaching staff is composed of at least 75% of career teaching staff.
- *Academically qualified*, when the total FTE teaching staff is composed of at least 60% of FTE teachers holding a PhD.
- *Specialised*, when at least 50% of the total FTE teaching staff is composed of FTE specialists of recognised experience and professional competence in the fundamental training area(s) of the study programme, or of staff holding a PhD and specialised in those areas.

1st and 2nd cycle study programme coordinators must have a PhD degree or be specialists of recognised experience and professional competence in the fundamental training area(s) of the study programme. They must also be career staff in the institution of the study programme.

In the case of the accreditation of study programmes in art education, of study programmes integrated in scientific areas where there is proof of the non-existence of academically qualified teaching staff, and of master's study programmes with multidisciplinary characteristics, in exceptional and justified terms, A3ES may consider as a specialist of recognised experience and professional competence (for the accreditation of study programmes in polytechnic education), the holder of an academic degree who:

- has worked in the area he/she is lecturing/will be lecturing, and
- has a minimum of 10 years of experience, with at least 5 years of effective experience in the last 10 years, and
- has a relevant and qualified CV, duly verified and accepted by the technical and scientific body of the HEI (article 57, paragraph 5 c) of GADES).

³ According to article 3 g) of GADES, a specialist of recognised experience and professional competence refers only to the title as prescribed by Decree-Law No.206/2009, 31 August.

Table 2 – Minimum percentage (composition) for the teaching and research staff (polytechnic education)

	Teaching staff	
	1st cycle	2nd cycle/ Integrated Master's
Full-time staff (FTE)	60%	75%
PhDs (FTE)	50%	60%
Staff specialised in the fundamental area(s) of the study programme	50%	50%

1.3 Transitional provisions

According to article 4 of Decree-Law No.65/2018, 16 August, changes made to the general criteria for accreditation as laid out in article 57 and to the special criteria as laid out in articles 6, 16, and 29 of Decree-Law No.74/2006, 24 March, namely those concerning the qualification of teaching staff, apply to:

- a) Prior accreditation requests for new study programmes (NCE and NCE EaD), placed after 15 October 2020;
- b) Study programmes in operation (ACEF and PERA) when Decree-Law No.65/2018, 16 August, came into force, after 31 December 2022, applicable in the third cycle of assessment and accreditation of study programmes in operation, to be launched by A3ES.

1.4 Other criteria at an institutional level

From an institutional perspective, GADES establishes (article 57, paragraph 1 d)) that the institution must comply with the provisions in the statutes governing the teaching career in higher education, concerning:

- The percentages for career staff and invited staff.
- The percentages for career staff distribution by category.

RJIES states, in article 47, paragraph 1, that “the teaching staff university institutions must meet the following requirements:

- a) To fulfil, for each study programme, the requirements set by law for their accreditation.
- b) To have, among all the teachers and researchers who work in any capacity at the

institution, at least one PhD holder for every 30 students.

- c) To have at least half of the staff referred to in the last paragraph as full-time staff.”

Furthermore, article 49, paragraph 1 of the RJIES states that “the teaching staff of polytechnic institutions must meet the following requirements:

- d) To fulfil, for each study programme, the requirements set by law for their accreditation.
- e) To have, among all the teachers and researchers who work in any capacity at the institution, at least one specialist or PhD holder for every 30 students.
- f) In the group of teachers and researchers who conduct teaching or research activities in any capacity at the institution, at least 15% should be full-time PhD holders and, besides these, at least 35% must hold the specialist title and may also be holders of a PhD degree.”

The EPCDESP further provides that, in polytechnic institutions, at least 20% of the teaching staff must consist of invited lecturers. Verifying compliance with these requirements demands a comprehensive approach that is not feasible in the process of assessment and accreditation of study programmes. It will be done periodically through monitoring mechanisms, namely through the rebuilding of the database to be performed at the end of each 5-year cycle of assessment/accreditation.

2. Criteria relating to the practice of research

The legal framework established by RJIES places special emphasis on the practice of R&D both at the level of principles and at the level of the requirements to be met by higher education institutions.

Indeed, the nature of university education implies that “*universities, university colleges and other higher education institutions are high-level institutions devoted to the creation, transmission and dissemination of culture, knowledge, and science and technology, through the articulation of study, teaching, research and experimental development*” (article 6, paragraph 1); therefore, it is a requirement for the establishment and operation of a university education institution that it “*develops activities in the field of teaching and research, as well as in the creation, dissemination and transmission of culture*” and “*has or participates in research and development centres duly assessed and recognized*”

(article 42, subparagraphs d and e).

The nature of polytechnic education implies that *“the polytechnic institutes and other institutions of polytechnic education are high-level institutions oriented to the creation, transmission and dissemination of culture and knowledge of a professional nature, through the articulation of study, teaching, targeted research and experimental development”* (article 7, paragraph 1); therefore it is a requirement for the establishment and operation of a polytechnic institution that it *“develops targeted research activities”* (article 44, subparagraph e).

Decree-Law No. 74/2006, as amended by Decree-Law No. 65/2018, also highlights the role of research, by establishing it (article 57) as one of the special requirements for the accreditation of study programmes, in articles 6, 16, and 29:

- A study programme leading to a master’s degree in a particular area of expertise requires that the university education institution develops, in the fundamental area(s) of the study programme, *“recognized activities in teaching, research and experimental development, with relevant publications or scientific production”*.
- A study programme leading to a doctoral degree in a particular field of knowledge or area of expertise requires that the university education institution *“demonstrates that it has, in that area, the human and organizational resources necessary for conducting research”, “that 75% of its staff is integrated in research units rated Very Good or higher in the evaluation conducted by Fundação para a Ciência e a Tecnologia, I.P.”* and in addition that *“its staff holds an accumulated experience of research materialized in a relevant scientific and academic production in this field of knowledge or area of expertise”*.
- In the case of study programmes leading to a doctoral degree in association with foreign institutions, and according to article 16, paragraphs 1 and 3, of Law No.62/2007, 10 September, and articles 41 and 55A of Decree-Law No.74/2006, in its current wording, A3ES may *“integrate into the accreditation process the results of assessment and accreditation procedures conducted by foreign or international institutions which develop assessment activities within the principles adopted by the European system for quality assurance in higher education, as well as the results of assessment procedures of science and technology activities conducted by competent authorities* (Decree-Law No.27/2021, 16 April).
- The legal provision under Decree-Law No.27/2021, 16 April, allows A3ES to apply, in the assessment and accreditation procedure, criteria lower to the ones established by articles 6, 16, and 29 of Decree-Law No.74/2006 (in its current wording), as well as dismiss foreign institutions from fulfilling the general requirements for accreditation as provided by article 57, paragraph 1, of the same Decree-Law.

The identification of the characteristics related to research activities must be explicitly and individually determined for each study programme's assessment and accreditation procedure.

For the 1st cycle, article 6 paragraph 2 d), of Decree-Law No.74/2006, in its current wording, states that the 1st cycle degree, in a certain area of training, can only be awarded by university higher education institutions that *“develop teaching, research and experimental development activities, of recognized level and quality, and with relevant publications and scientific production”*. The 2nd cycle degree must correspond to the conditions established by article 16, paragraph 2, of the same Decree-law, namely that institutions *“develop teaching, research, and experimental development activities, of recognized level and quality, and with relevant publications and scientific production”*.

The same reasoning goes for the accreditation of 1st cycle and 2nd cycle study programmes in polytechnic higher education institutions (article 6, paragraph 5 d) and article 16, paragraph 5 d)):

- The 1st cycle degree in a certain area of training can only be awarded by polytechnic higher education institutions that *“develop professionally-oriented activities in teaching and practice-based research, of recognized level and quality”*;
- The 2nd cycle degree in a certain area of specialization can only be awarded by polytechnic higher education institutions that, in the fundamental area(s) of the study programme *“develop professionally-oriented activities in teaching and practice-based research, of recognized level and quality”*;

2.1 General requirements related to scientific research

It results from the mentioned legal framework that one of the necessary conditions for the accreditation of a doctoral programme is the demonstration that **the institution's teaching staff plays an active, relevant and internationally recognized role in the research developed in the scientific area of the study programme**. Only thus can one effectively ensure, as required by article 28 of GADES, that the graduates demonstrate: *“the competences, aptitudes and research methods associated to a scientific domain”*; *“the ability to conceive, design, adapt and perform significant research respecting the requirements imposed by academic standards and integrity”* and *“having done a significant amount of original research work that has contributed to extending the frontiers of knowledge, some of which merits national or international disclosure in peer-reviewed publications”*.

It also follows that for the accreditation of a university study programme leading to a master's degree, the teaching staff must develop duly recognized research activities in the relevant scientific areas, because without supervisors with a strong background in scientific research, it is not possible to create the necessary conditions for adequate supervision of dissertations. A high scientific level is an essential element for a master's degree because it is exactly this aspect that differentiates a master's from a postgraduate programme.

In the case of a polytechnic study programme leading to a master's degree, the teaching staff must develop targeted research or high-level professional development activities in the relevant scientific areas. Only under these conditions, can one ensure that students have the knowledge and understanding at a level that allows for further development and/or original applications, in many cases in the context of research (article 15, paragraph 1, of Decree-Law No.74/2006, as amended by Decree-Law No.65/2018).

For 1st cycle degree programmes specific requirements associated with research and experimental development are defined by law (see article 6, paragraph 2 d) and article 5, d)) and were already applied by A3ES via the general principles established in RJIES, linked to the nature of higher education, namely in the articulation of study and teaching with research (or targeted research) and experimental development, which are not separable from effective integration of a significant part of the teaching staff in research, targeted research, or experimental development activities.

To conduct duly recognized research activities in the areas integrating the study programmes, these can be developed in the institution itself, or through the participation or collaboration, or of its teachers and researchers, in recognized scientific institutions. The exception to this rule is the offer of doctoral programmes, as established by Decree-Law No.65/2018, which altered Decree-Law No.74/2006. Here the exigence is reinforced by the absolute need to *“demonstrate that at least 75% of its teaching staff is integrated in relevant research units rated Very Good or higher in the evaluation conducted by Fundação para a Ciência e a Tecnologia, I.P.”*.

The criteria to characterize R&D units relevant to the accreditation process have also been defined. These R&D units may be:

- Organic units of the higher education institution in question, established under articles 13 and 14 of Law No.62/2007, 10 September;
- Private law subsidiary entities established by or with the participation of the higher education institution in question under article 15 of Law No.62/2007, 10 September;
- Units integrated into, or temporarily under, private law subsidiary entities which fulfil the conditions of subparagraph b);

- Branches or delegations of private law subsidiary entities which fulfil the conditions of subparagraph b) – see article 29, paragraph 2, c) and d), and paragraph 5, a) to d).

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