

Decision Regarding the Assessment of the Law Study Programme Group Tallinn University

15/09/2016

The Quality Assessment Council for Higher Education of the Estonian Quality Agency for Higher Education and VET decided to approve the report by the Assessment Committee and to conduct the next quality assessment of the Law study programme group in the first and second cycles of higher education at Tallinn University in seven years, with a secondary condition

On the basis of the following references: subsections 12² (1) and 10 (4) of the Universities Act, point 3.7.3 of the Statutes of the Estonian Quality Agency for Higher Education and VET (hereinafter referred to as 'EKKA'), points 41.1 and 42 of the document, 'Quality Assessment of Study Programme Groups in the First and Second Cycles of Higher Education', authorised in point 3.7.1 of the above-mentioned EKKA Statutes, and clauses 53 (1) 2) and 53 (2) 2) and 3) of the Administrative Procedure Act; the Quality Assessment Council for Higher Education of EKKA (hereinafter referred to as 'the Council') affirms the following:

1. On 16.04.2015 Tallinn University and EKKA agreed upon a time frame to conduct the quality assessment of the study programme group.
2. The Director of EKKA, by her order on 15.03.2016, approved the following membership of the quality assessment committee for the Law study programme group in the first and second cycles of higher education at the University of Tartu, Tallinn University of Technology and Tallinn University (hereinafter referred to as 'the Committee'):

Achim Albrecht, Chair	Professor, University of Westfalia (Germany)
Michelle Everson	Professor, Birkbeck University of London (United Kingdom)
Madis Päts	Partner in OÜ Luberg & Päts Law Office, Board Member of the Estonian Bar Association (Estonia)
Hildegard Schneider	Professor, Maastricht University (Netherlands)
Susann Schultz	Student, University of Greifswald (Germany)
Kristel Siitam-Nyiri	Vice-Chancellor, Ministry of Justice (Estonia)

3. Tallinn University submitted the following programmes for evaluation under this study programme group:

Law (BA)**Law (in English, BA)****Law (MA)****International Business Law (in English, MA)**

4. Tallinn University submitted a self-evaluation report to the EKKA Bureau on 28.01.2016 and the assessment coordinator forwarded it to the Committee on 19.02.2016.
5. An assessment visit was made to Tallinn University on 26.04.2016.
6. The Committee sent its draft assessment report to the EKKA Bureau on 13.06.2016, EKKA forwarded it to Tallinn University for its comments on 15.06.2016, and the University delivered its response on 21.06.2016.
7. The Committee submitted its final assessment report to the EKKA Bureau on 08.07.2016. That assessment report is an integral part of the decision, and is available on the EKKA website.
8. The Secretary of the Council forwarded the Committee's final assessment report along with the University's self-evaluation report to the Council members on 31.08.2016.
9. The Council with 8 members present discussed these received documents in its session on 15.09.2016 and, based on the assessment report, decided to point out the following strengths, areas for improvement, and recommendations regarding the Law study programme group in the first and second cycles of higher education at Tallinn University.

Assessment at the Levels of the Study Programme Group and Study ProgrammesStrengths

- Teaching and learning environments are modern, comfortable and well equipped.
- The study programmes are clearly oriented towards both the local and international markets.
- Special resources are budgeted to meet the needs of the diverse student body in Tallinn University Law School (e.g. childcare).
- Teaching staff use modern digital resources (e.g. Moodle).
- Teaching staff is international in character and suited to teaching the study programmes in English and within an international context.
- Students are motivated and have clear vision for their future. They are satisfied with their programmes and find the learning environment friendly and motivating.
- Support for mature and returning students is commendable, as is the availability of the teaching staff to students and their understanding of atypical student problems.

Areas for improvement and recommendations

- Mission and orientation of the programmes should both be more specific. At present it is unclear as to what extent the content of the programmes meets the needs of the local labour market. There is some lack of clarity within the programmes that may have been caused by structural reform and by pressure placed upon the Law School to engage with strategies enhancing both interdisciplinarity and internationalisation. It is recommended that Tallinn University continue with programme reforms, including:
 - providing students with a sufficient basic knowledge in national law (both Estonian and Finnish);
 - rethinking the programme of specialisation courses (e.g. reducing the proportion of practice-based learning);
 - offering distinct fields of study within the programmes that allow clear-cut law specialisations.

- The study programmes should not ignore the necessary basic legal skills when integrating studies of the law with those of social sciences.
- The structure of the programmes needs some streamlining — at present the number of courses is too large, unnecessarily increasing its complexity.
- The MA programme taught in English has not attracted enough students. The reason may be that the programme is too broad based. It is advisable to discontinue the English-based MA programme in International Business Law and focus on developing new international MA programmes that would build on existing strengths of Tallinn University (e.g. media and entertainment law).
- It is advisable that study programme development take guidance from the current demand for lawyers who work outside the classical public legal profession.
- Internationally recruited students should have it made clear to them upon entrance that the degree to be acquired may not guarantee them the necessary qualifications for practice outside of Estonia.
- In the case of potentially launching a PhD programme, Tallinn University should continue their cooperation with Tallinn University of Technology.
- It is recommended that the Law School begin providing transnational legal education and research.
- Students must be provided with better access to literature in foreign languages, especially books and journals in English (via cooperation with other universities, if necessary). Students' in the Helsinki facilities should be made more aware of the various available academic databases. There is no library in the Helsinki facilities.
- The learning resources for International Business Law are insufficient. Students must have access to relevant international databases (Westlaw, Lexus-Nexus, etc.), textbooks and case studies.
- Teaching staff are advised to learn from each other's experiences and to share good practices. Teaching methods used within the International Business Law programme are currently not sufficiently challenging for students. A larger variety of teaching methods should be used more often and throughout the teaching and learning process (e.g. moot competitions).
- Students need more guidance in research.
- In the light of the overall strategic plan of Tallinn University, composition of the staff and their selection criteria should be designed while keeping in mind the (changing) needs of teaching and research in all programmes. Strategic planning should include a strategy that, along with international teaching staff, would firmly support and maintain local core Estonian teaching staff who provide their valuable contributions to the programmes as experienced and recognised practitioners in their fields.
- It is advisable to hire additional younger permanent teaching staff to provide continuity in study programme development and research, as well as future leadership for the Law School. This would also lead to a more even distribution of the workload among members of the teaching staff who are currently overburdened by administrative tasks.
- Administrative procedures should be more flexible for the sake of students (e.g. use of the library).
- Students should be offered career advice after enrolment and given an explanation of the substance of law qualifications to be acquired.
- Students should be given more assistance to find internships, for example, being offered a list of available internships for both national and international students.
- Students' feedback should be more taken into account in teaching, and students should be informed about actions taken based on their feedback.
- Students should be helped to establish and maintain contacts with different student organisations (e.g. ELSA).

10. Point 41 of the document, 'Quality Assessment of Study Programme Groups in the First and Second Cycles of Higher Education', establishes that the Quality Assessment Council shall approve an assessment report within three months after receipt of the report. The Council shall weigh the strengths, areas for improvement, and recommendations pointed out in the assessment report, and then shall decide whether to conduct the next quality assessment of that study programme group in seven, five or three years.
11. The Council weighed the strengths, areas for improvement, and recommendations referred to in point 9 of this document and found that the study programmes, the teaching conducted under these programmes, and development activities regarding teaching and learning conform to the requirements if the University eliminates the following shortcomings:
- According to clause 6 (7) 5) of the Government of the Republic Regulation, 'Standard of Higher Education', *the conduct of studies conforms to the requirements if the information technology tools and connections to domestic and international information networks needed for teaching and learning are accessible, and data media needed for acquiring subjects in the study programme are available*. The learning resources for International Business Law are insufficient. Students do not have sufficient access to relevant international databases (Westlaw, Lexis-Nexus, etc.), textbooks and case studies.
 - Teaching methods used within the International Business Law programme do not sufficiently support achievement of the objectives of teaching and learning as defined in subsection 6 (5) of the 'Standard of Higher Education'. The learner-centred approach and implementation of modern teaching methods should be given more attention in the teaching.
 - The planned learning outcomes are not sufficiently equivalent as defined in subsection 6 (3) of the 'Standard of Higher Education', or comparable to the learning outcomes for different cycles of higher education described in Annex 1 to the 'Standard of Higher Education', according to which students, to be awarded a Bachelor's degree, *must have a systematic overview of the basic concepts, theoretical principles and research methods of their field of study; know the theoretical schools, development trends and current problems of the field of study; and be able to apply the acquired knowledge and skills in work*. Due to excessive integration of law within the social sciences studies in study programmes, it is not ensured that students acquire all basic legal skills (including basic knowledge in Estonian and Finnish law) needed for success in the labour market.
12. According to clause 53 (1) 2) of the Administrative Procedure Act, *a secondary condition of an administrative act is an additional duty related to the principal regulation of the administrative act* and, according to clause 53 (1) 3), it is also *a supplementary condition for the creation of a right arising from the principal regulation of the administrative act*. Clauses 53 (2) 2) and 3) establish that *a secondary condition may be imposed on an administrative act if the administrative act cannot be issued without the secondary condition, or if issue of the administrative act must be resolved on the basis of an administrative right of discretion*. The Council found that, without a secondary condition, the next quality assessment of the study programme group should be conducted in less than seven years, and therefore, on the basis of points 41.1 and 42 of the document, 'Quality Assessment of Study Programme Groups in the First and Second Cycles of Higher Education', the Council

DECIDED

to approve the assessment report and to conduct the next quality assessment of the Law study programme group in the first and second cycles of higher education at Tallinn University in seven years with the following secondary condition:

No later than 15.09.2017, Tallinn University shall submit an action plan and a progress report to the Council on eliminating the shortcomings referred to in point 11 of this document.

The decision was adopted by 8 votes in favour. Against 0.

- 13.** In case Tallinn University does not comply with the secondary condition by the due date, the Council will repeal this assessment decision and set a new date for a quality assessment of the study programme group, or establish a new secondary condition.
- 14.** The Council proposes that Tallinn University will submit an action plan to EKKA with regard to the areas for improvement and recommendations pointed out in the report no later than 15.09.2018.
- 15.** A person who finds that his or her rights are violated or his or her freedoms are restricted by this decision may file a challenge with the EKKA Quality Assessment Council within 30 days after the person filing the challenge became or should have become aware of the contested finding. A judicial challenge to the decision may be submitted within 30 days after its delivery, filing an action with the Tallinn courthouse of the Tallinn Administrative Court pursuant to the procedure provided for in the Code of Administrative Court Procedure.

Tõnu Meidla
Chair of the Council

Hillar Bauman
Secretary of the Council