



**KULTUSMINISTER  
KONFERENZ**

**Model Regulation pursuant to Article 4, paragraphs 1–4, of the State Treaty on the  
Accreditation of Study Programs**

**(Resolution of the Standing Conference of the Ministers of Education and Cultural  
Affairs of December 7, 2017)**

## **Part 1 General Provisions**

### **Section 1 Scope**

(1) This Regulation governs, pursuant to Article 4 of the State Treaty on the Organization of a Joint Accreditation System for Quality Assurance in Studies and Teaching at German Universities (State Treaty on Study Program Accreditation; GVBl. ) the details regarding the formal criteria under Article 2(2), the subject-specific and content-related criteria under Article 2(3), and the procedure under Article 3 of the State Treaty on Study Program Accreditation.

(2) Unless otherwise specified in this Regulation, the following provisions on program accreditation also apply to degree programs at state-run and state-recognized vocational academies leading to the degree of Bachelor. A Bachelor's degree accredited on the basis of this (model) statutory regulation is equivalent under higher education law to a Bachelor's degree from a university.

### **§ 2 Forms of Accreditation**

Forms of accreditation include the procedures under Article 3(1)(1) of the State Treaty on Study Program Accreditation (system accreditation), under Article 3(1)(2) (program accreditation), or alternative accreditation procedures under Article 3(1)(3).

## **Part 2 Formal Criteria for Degree Programs**

### **§ 3 Program Structure and Duration**

(1) <sup>1</sup> In a tiered degree program system, the bachelor's degree is the first standard degree conferring professional qualifications; the master's degree constitutes a further higher education degree conferring professional qualifications. <sup>2</sup> Undergraduate degree programs leading directly to a master's degree are excluded, with the exception of the degree programs specified in paragraph 3.

(2) <sup>1</sup> The standard periods of study for full-time study are six, seven, or eight semesters for bachelor's degree programs and four, three, or two semesters for master's degree programs. <sup>2</sup> For bachelor's degree programs, the standard period of study for full-time study is at least three years. <sup>3</sup> For consecutive degree programs, the total standard period of study for full-time study is five years (ten semesters). <sup>4</sup> If state law provides for it, shorter and longer standard periods of study are exceptionally possible with appropriate organizational arrangements

to enable students to pursue an individualized learning path, particularly through part-time, distance, part-time while working, or dual study programs, as well as semesters of professional practice. <sup>5</sup> Notwithstanding sentence 3, in the core artistic disciplines at universities of the arts and music, consecutive bachelor's and master's degree programs may also be established with a standard duration of study of six years, subject to further provisions of state law.

(3) Theological degree programs that qualify students for the office of pastor, the priesthood, or the profession of pastoral assistant ("full theological studies") need not be structured in stages and may have a standard period of study of ten semesters.

#### **§ 4 Program Profiles**

(1) <sup>1</sup> Master's programs may be classified into "application-oriented" and "research-oriented" programs. <sup>2</sup> Master's programs at universities of the arts and music conservatories may have a special artistic profile. <sup>3</sup> Master's programs that provide the educational prerequisites for a teaching position have a special teaching-related profile. <sup>4</sup> The respective profile must be specified in the accreditation.

(2) <sup>1</sup> When establishing a master's program, it must be determined whether it is consecutive or continuing education. <sup>2</sup> Continuing education master's programs correspond to consecutive master's programs in terms of the standard period of study and the thesis, and lead to the same level of qualification and the same entitlements.

(3) Bachelor's and Master's degree programs require a thesis that demonstrates the ability to independently address a problem within the respective field using scientific or artistic methods within a specified timeframe.

#### **§ 5 Admission Requirements and Transitions Between Programs**

(1) <sup>1</sup> The admission requirement for a master's program is a first professional higher education degree. <sup>2</sup> For professional and artistic master's degree programs, the professional degree may be replaced by an entrance examination, provided that state law so provides. <sup>3</sup> Professional master's degree programs generally require at least one year of qualified professional experience.

(2) <sup>1</sup> To be admitted to artistic master's programs, applicants must demonstrate the specific artistic aptitude required for such programs. <sup>2</sup> For admission to professional artistic master's programs, practical professional activities completed during the course of study may also be taken into account, provided that state law permits this. The requirement for practical professional experience does not apply at art colleges for programs designed to deepen independent artistic skills, provided that state regulations so provide.

(3) Additional requirements for admission to master's degree programs may be stipulated in accordance with state law.

### **§ 6 Degrees and Degree Titles**

(1) <sup>1</sup> Upon successful completion of a bachelor's or master's program, only one degree—the bachelor's or master's degree—shall be conferred, unless it is a multiple-degree program. <sup>2</sup> In this context, degrees shall not be differentiated based on the standard duration of study.

(2) <sup>1</sup> The following titles shall be used for Bachelor's and consecutive Master's degrees:

1. Bachelor of Arts (B.A.) and Master of Arts (M.A.) in the subject groups of Language and Cultural Studies, Sports, Sports Science, Social Sciences, Art History, Performing Arts, and, where the program's content warrants, in the subject group of Economics as well as in applied arts programs,
2. Bachelor of Science (B.Sc.) and Master of Science (M.Sc.) in the subject groups of Mathematics, Natural Sciences, Medicine, Agricultural, Forestry, and Nutritional Sciences, and in the subject groups of Engineering and Economics where the program content is appropriately aligned,
3. Bachelor of Engineering (B.Eng.) and Master of Engineering (M.Eng.) in the Engineering subject group, provided the program's content is relevant,
4. Bachelor of Laws (LL.B.) and Master of Laws (LL.M.) in the field of law,
5. Bachelor of Fine Arts (B.F.A.) and Master of Fine Arts (M.F.A.) in the Fine Arts subject group,

6. Bachelor of Music (B.Mus.) and Master of Music (M.Mus.) in the Music subject group,
7. <sup>1</sup>Bachelor of Education (B.Ed.) and Master of Education (M.Ed.) for degree programs that provide the educational qualifications required for a teaching career. <sup>2</sup>For a multidisciplinary degree program, a designation in accordance with items 1 through 7 may be assigned based on the program's primary focus.

<sup>2</sup> Subject-specific additions to degree titles and bilingual degree titles are prohibited. <sup>3</sup> Bachelor's degrees with the addition "honors" ("B.A. hon.") are prohibited. <sup>4</sup> For interdisciplinary and combined degree programs, the degree title is determined by the subject area that predominates in the program. <sup>5</sup> For continuing education programs, master's degrees that differ from the aforementioned titles may also be used. <sup>6</sup> For theological programs that qualify students for the office of pastor, the priesthood, or the profession of pastoral assistant ("full theological program"), different titles may also be used.

(3) The degree documents may clarify, in an appropriate place, that the qualification level of the bachelor's degree corresponds to a diploma degree from a university of applied sciences, or that the qualification level of a master's degree corresponds to a diploma degree from a university or equivalent institution of higher education.

(4) Detailed information about the program underlying the degree is provided in the Diploma Supplement, which is an integral part of every degree certificate.

## **§ 7 Modularization**

(1) <sup>1</sup> Degree programs shall be structured into study units (modules) that are thematically and temporally defined by the grouping of course content. <sup>2</sup> The content of a module must be structured so that it can generally be taught within a maximum of two consecutive semesters; in exceptionally justified cases, a module may extend over more than two semesters. <sup>3</sup> For the core artistic subject in the bachelor's program, at least two modules are mandatory, which may account for approximately two-thirds of the total study time.

(2) <sup>1</sup> The description of a module shall include at least:

1. the module's content and learning objectives,
2. Teaching and learning methods,
3. prerequisites for participation,
4. Applicability of the module,
5. Requirements for the awarding of ECTS credits in accordance with the European Credit Transfer System (ECTS credits),
6. ECTS credits and grading,
7. Frequency of the module's offering,
8. Workload and
9. Duration of the module.

(3) <sup>1</sup> The prerequisites for participation must specify the knowledge, skills, and abilities required for successful participation, as well as guidance for appropriate preparation by students. <sup>2</sup> Regarding the applicability of the module, the relationship to other modules in the same degree program must be described, as well as the extent to which it is suitable for use in other degree programs. <sup>3</sup> The requirements for the awarding of ECTS credits must specify how a module can be successfully completed (type, scope, and duration of the examination).

### **§ 8 Credit Point System**

(1) <sup>1</sup> Each module shall be assigned a specific number of ECTS credits based on the workload for students. <sup>2</sup> As a rule, 30 credits shall be allocated per semester. <sup>3</sup> One credit corresponds to a total student workload of 25 to a maximum of 30 hours of in-class and self-study. <sup>4</sup> ECTS credits are awarded for a module if the requirements specified in the examination regulations are met. <sup>5</sup> The awarding of ECTS credits does not necessarily require an examination, but rather the successful completion of the respective module.

(2) <sup>1</sup> For the Bachelor's degree, no fewer than 180 ECTS credits must be demonstrated. <sup>2</sup> For the Master's degree, 300 ECTS credits are required, taking into account the student's prior studies up to the first professionally qualifying degree. <sup>3</sup> From this

, exceptions may be made in individual cases if the student possesses the appropriate qualifications, even if 300 ECTS credits are not attained upon completion of a master's program. <sup>4</sup> For consecutive Bachelor's and Master's programs in the core artistic disciplines at art and music colleges with a standard duration of six years, the Master's level is achieved with 360 ECTS credits.

(3) <sup>1</sup> The scope of work for the bachelor's thesis is 6 to 12 ECTS credits and for the master's thesis 15 to 30 ECTS credits. <sup>2</sup> In fine arts programs, in justified exceptional cases, the scope of the bachelor's thesis may be up to 20 ECTS credits and that of the master's thesis up to 40 ECTS credits.

(4) <sup>1</sup> In justified exceptional cases, up to 75 ECTS credits per academic year may be applied to degree programs that include special academic organizational measures. <sup>2</sup> In this context, the workload for one ECTS credit is estimated at 30 hours. <sup>3</sup> Special academic organizational measures may relate in particular to the learning environment and support, the structure of the program, academic planning, and measures to ensure the student's livelihood.

(5) <sup>1</sup> For teacher education programs leading to certification for elementary or primary school teaching, for cross-disciplinary teaching at the primary level, and for all or specific types of secondary schools, for teaching positions covering all or specific types of lower secondary schools, as well as for special education teaching positions at the lower secondary level, a master's degree may be awarded if a total of 300 ECTS credits have been earned, including at least 240 ECTS credits acquired at the university and taking into account the preparatory service.

(6) <sup>1</sup> At vocational academies, a three-year program leading to a bachelor's degree generally requires the completion of 180 ECTS credits. <sup>2</sup> The scope of the theory-based components of the program may not be less than 120 ECTS credits, and the scope of the practice-based components may not be less than 30 ECTS credits.

## **§ 9 Special Criteria for Cooperation with Non-Higher Education Institutions**

(1) <sup>1</sup> The scope and nature of existing collaborations with companies and other institutions, including non-higher-education learning locations and course components as well as the language(s) of instruction, are contractually regulated and described on the university's website. <sup>2</sup> When applying credit transfer models within the framework of program-specific collaborations, the content-related equivalence of non-higher-education qualifications to be credited

non-higher-education qualifications and their equivalence in accordance with the intended qualification level is clearly demonstrated.

(2) In the case of program-specific collaborations with non-higher-education institutions, the added value for future students and the degree-granting institution must be clearly demonstrated.

### **§ 10 Special Provisions for Joint Degree Programs**

(1) A joint degree program is a multi-level degree program coordinated and offered by a domestic institution of higher education in collaboration with one or more institutions of higher education from foreign countries within the European Higher Education Area, leading to a joint degree and exhibiting the following additional characteristics:

1. Integrated curriculum,
2. A study component at one or more foreign higher education institutions of generally at least 25 percent,
3. contractually regulated cooperation,
4. coordinated admission and examination procedures, and
5. joint quality assurance.

(2) <sup>1</sup> Qualifications and periods of study are recognized in accordance with the Act on the Convention of April 11, 1997, on the Recognition of Qualifications in Higher Education in the European Region of May 16, 2007 (Federal Law Gazette 2007 II, pp. 712, 713) (Lisbon Convention). <sup>2</sup> The ECTS is applied in accordance with Sections 7 and 8(1), and the distribution of credit points is regulated. <sup>3</sup> For the bachelor's degree, 180 to 240 credit points must be demonstrated, and for the master's degree, no fewer than 60 credit points. <sup>4</sup> Essential program information is published and accessible to students at all times.

(3) . If a joint degree program is coordinated and offered by a domestic institution of higher education in collaboration with one or more institutions of higher education from countries outside the European Higher Education Area (non-European cooperation partners), then, upon application by the domestic institution, paragraphs 1 and 2 shall apply mutatis mutandis if the non-European cooperation partners agree in the cooperation agreement with the domestic institution to undergo accreditation in accordance with the criteria and procedural rules set forth in paragraphs 1 and 2 as well as in §§ 16(1) and § 33(1).

## **Part 3 Academic and Content-Related Criteria for Degree Programs and Quality Management Systems**

### **§ 11 Qualification Objectives and Degree Level**

(1) <sup>1</sup> The qualification objectives and the intended learning outcomes shall be clearly formulated and shall demonstrably take into account the objectives of higher education set forth in Article 2, paragraph 3, item 1 of the State Treaty on the Accreditation of Study Programs. <sup>2</sup> The dimension of personal development also encompasses the future civic, political, and cultural roles of graduates. Upon graduation, students should be able to play a decisive role in shaping social processes in a critical and reflective manner, with a sense of responsibility and democratic civic spirit.

(2) The professional and scientific/artistic requirements encompass the aspects of knowledge and understanding (broadening, deepening, and comprehending knowledge), the application, use, and generation of knowledge/art (utilization and transfer, scientific innovation), communication and cooperation as well as scientific/artistic self-awareness / professionalism, and are consistent with the level of the degree awarded.

(3) <sup>1</sup> Bachelor's degree programs serve to impart scientific foundations, methodological competence, and profession-specific qualifications, and ensure a broad scientific qualification. <sup>2</sup> Consecutive Master's degree programs are designed as programs that deepen, broaden, or are interdisciplinary or in other fields. <sup>3</sup> Professional Master's programs require qualified professional experience of generally no less than one year. <sup>4</sup> The program design of professional Master's programs takes professional experience into account and builds upon it to achieve the qualification objectives. <sup>5</sup> In designing the program, the institution shall demonstrate the connection between professional qualifications and the program offerings, as well as the equivalence of the requirements to those of consecutive master's programs. <sup>6</sup> Artistic programs promote and further develop the ability for artistic creation.

### **§ 12 Coherent Program Concept and Adequate Implementation**

(1) <sup>1</sup> The curriculum is appropriately structured, taking into account the specified entry qualifications and with a view to achieving the qualification objectives. <sup>2</sup> The qualification objectives, the program title degree and - designation and the

The module concepts are coherently interrelated. <sup>3</sup> The program concept encompasses a variety of teaching and learning methods adapted to the respective academic culture and program format, as well as practical components where appropriate. <sup>4</sup> It creates suitable conditions to promote student mobility, enabling students to spend time at other universities without losing academic credit. <sup>5</sup> It actively involves students in the design of teaching and learning processes (student-centered teaching and learning) and provides opportunities for self-directed study.

(2) <sup>1</sup> The curriculum is implemented by teaching staff with sufficient subject-specific and methodological-didactic qualifications. <sup>2</sup> The integration of research and teaching is ensured in accordance with the institution's profile, particularly through full-time professors in both undergraduate and graduate programs. <sup>3</sup> The institution takes appropriate measures for staff selection and qualification.

(3) The program also has adequate resources (in particular non-academic staff, facilities, and equipment, including IT infrastructure, teaching and learning materials).

(4) <sup>1</sup> Exams and types of exams enable a meaningful assessment of the learning outcomes achieved. <sup>2</sup> They are module-based and competency-oriented.

(5) <sup>1</sup> The ability to complete the program within the standard period of study is guaranteed. <sup>2</sup> This includes, in particular

1. a predictable and reliable academic schedule,
2. minimal overlap between courses and exams,
3. a reasonable average workload commensurate with the examination load, whereby the learning outcomes of a module are to be measured such that they can generally be achieved within one semester or one year, which is validated through regular surveys, and
4. an adequate and workload-appropriate frequency and organization of examinations, whereby, as a rule, only one examination is scheduled per module and modules should have a minimum scope of five ECTS credits.

(6) Degree programs with a specific profile requirement shall have a self-contained program concept that appropriately reflects the specific characteristics of the profile.

### **§ 13 Academic and Content-Related Design of Degree Programs**

(1) <sup>1</sup> The currency and adequacy of the subject-specific and academic requirements are ensured. <sup>2</sup> The subject-specific content and the methodological and didactic approaches of the curriculum are continuously reviewed and adapted to subject-specific and didactic developments. <sup>3</sup> To this end, systematic consideration is given to the academic discourse at the national and, where applicable, international level.

(2) In degree programs that provide the educational prerequisites for a teaching career, the basis for accreditation is both the evaluation of educational sciences and subject-specific disciplines, as well as their didactics, in accordance with state-wide and state-specific subject requirements, and the state-wide and state-specific structural guidelines for teacher education.

(3) <sup>1</sup> In the context of the accreditation of teacher education programs, it must be examined in particular whether

1. an integrated program at universities or equivalent institutions of higher education comprising at least two subject-specific disciplines and educational sciences is offered during both the bachelor's and master's phases (exceptions are permitted for the subjects of art and music),

2. practical school training already during the Bachelor's program, and

3. A differentiation of degree programs and degrees based on teaching specializations

have been made. <sup>2</sup> Exceptions are permitted for teaching positions at vocational schools.

### **§ 14 Academic Performance**

<sup>1</sup> The program is subject to continuous monitoring with the participation of students and graduates. <sup>2</sup> Measures to ensure academic success are derived on this basis. <sup>3</sup> These are reviewed on an ongoing basis, and the results are used for the further development of the program. <sup>4</sup> The parties involved are informed of the results and the measures taken, in compliance with data protection regulations.

## **§ 15 Gender Equality and Equal Opportunity**

The university has policies in place regarding gender equality and the promotion of equal opportunities for students in special circumstances, which are implemented at the program level.

## **§ 16 Special Provisions for Joint Degree Programs**

(1) <sup>1</sup> For joint degree programs, the provisions of § 11, paragraphs 1 and 2, as well as § 12, paragraph 1, sentences 1 through 3, paragraph 2, sentence 1, paragraphs 3 and 4, and § 14 apply accordingly. <sup>2</sup> In addition, the following applies:

1. The admission requirements and selection procedures shall be appropriate to the level and the academic discipline in which the degree program is situated.
2. It can be demonstrated that the program achieves the intended learning outcomes.
3. Where applicable, the provisions of Directive 2005/36/EC of September 7, 2005 ([OJ L 255, September 30, 2005, pp. 22–142](#)) on the recognition of professional qualifications, as last amended by Directive 2013/55/EU of January 17, 2014 ([OJ L 354, December 28, 2013, pp. 132–170](#)) is taken into account.
4. In the supervision, design of the degree program, and the teaching and learning methods used, the diversity of students and their needs are respected, and the specific requirements of mobile students are taken into account.
5. The university's quality management system ensures compliance with the above requirements and those specified in § 17.

(2) If a joint degree program is coordinated and offered by a domestic institution of higher education in conjunction with one or more institutions of higher education in foreign countries that do not belong to the European Higher Education Area (non-European cooperation partners), paragraph 1 shall apply *mutatis mutandis* upon application by the domestic university if the non-European cooperation partners commit in the cooperation agreement with the domestic university to accreditation in accordance with the criteria and procedural rules set forth in paragraph 1, as well as in §§ 10(1) and (2) and 33(1).

## **§ 17 Concept of the Quality Management System (Objectives, Processes, Instruments)**

(1) <sup>1</sup> The institution of higher education shall have a mission statement for teaching that is reflected in the curricula of its degree programs. <sup>2</sup> The quality management system

follows the values and standards of the mission statement for teaching and aims to continuously improve the quality of education. <sup>3</sup> It ensures the systematic implementation of the requirements specified in Parts 2 and 3. <sup>4</sup> The university has established and published university-wide decision-making processes, authorities, and responsibilities for the establishment, review, further development, and discontinuation of degree programs, as well as the university's own procedures for the accreditation of degree programs within the framework of its quality management system.

(2) <sup>1</sup> The quality management system was developed with the participation of the university's constituent groups and with the involvement of external experts. <sup>2</sup> It ensures the independence of quality assessments and includes procedures for handling internal conflicts as well as an internal grievance system. <sup>3</sup> It is based on closed-loop control systems, covers all areas of the university's operations that are directly relevant to study and teaching, and is equipped with adequate and sustainable resources. <sup>4</sup> Functionality and effectiveness with regard to the quality of study programs are regularly reviewed by the university and continuously improved.

#### **§ 18 Measures for Implementing the Quality Management Concept**

(1) <sup>1</sup> The quality management system includes regular evaluations of degree programs and the areas of activity relevant to teaching and studies by internal and external students, academic experts from outside the university, representatives from the professional field, and graduates. <sup>2</sup> If a need for action becomes apparent, the necessary measures are taken and implemented.

(2) To the extent that, based on the university's quality management system, evaluations of teacher education programs, teacher training programs with the combined subject of Protestant or Catholic Theology/Religion, Protestant theological programs qualifying for the ministry, and other bachelor's and master's programs with the combined subject of Protestant or Catholic Theology, the requirements for participation and approval pursuant to § 25(1), sentences 3 through 5, shall apply accordingly.

(3) The data required for the implementation of the quality management system shall be collected university-wide and on a regular basis.

(4) <sup>1</sup> The university documents the evaluation of the degree programs by the university's internal quality management system, including the ratings

external stakeholders and regularly informs university members, the public, the sponsoring body, and the host country about the measures taken. <sup>2</sup> It informs the public about accreditation decisions made on the basis of the university's internal procedure and provides the Accreditation Council with the information required for publication pursuant to § 29.

### **Section 19 Cooperation with Non-Higher Education Institutions**

<sup>1</sup> If a university offers a degree program in cooperation with a non-university institution, the university is responsible for compliance with the requirements set forth in Parts 2 and 3. <sup>2</sup> The degree-granting institution may not delegate decisions regarding the content and organization of the curriculum, admission, recognition, and credit transfer, the assignment and evaluation of examination performance, the administration of examination and student data, quality assurance procedures, or the criteria and procedures for selecting teaching staff.

### **§ 20 University Collaborations**

(1) <sup>1</sup> If a higher education institution enters into a program-specific cooperation with another higher education institution, the degree-granting institution or institutions shall ensure the implementation and quality of the program concept. <sup>2</sup> The nature and scope of the cooperation shall be described, and the agreements underlying the cooperation shall be documented.

(2) <sup>1</sup> If a system-accredited institution of higher education enters into a program-specific cooperation with another institution of higher education, the system-accredited institution may award the program the seal of the Accreditation Council pursuant to § 22 (4), sentence 2, provided that it is itself a degree-granting institution and ensures the implementation and quality of the program concept. <sup>2</sup> Paragraph 1, sentence 2, applies mutatis mutandis.

(3) <sup>1</sup> In the case of cooperation between higher education institutions at the level of their quality management systems, system accreditation of each of the participating institutions is required. <sup>2</sup> Upon application by the cooperating institutions, a joint system accreditation procedure is permissible.

## **§ 21 Special Criteria for Bachelor's Degree Programs at Vocational Academies**

(1) <sup>1</sup> Full-time faculty members at vocational academies must meet the hiring requirements for professors at universities of applied sciences pursuant to § 44 of the Higher Education Framework Act, as amended by the announcement of January 19, 1999 (Federal Law Gazette I, p. 18), which was last amended by Article 6, paragraph 2, of the Act of May 23, 2017 (Federal Law Gazette I, p. 1228). <sup>2</sup> To the extent that courses primarily serve to impart practical skills and knowledge for which the appointment requirements for professors at universities of applied sciences are not necessary, these may be assigned to full-time instructors for special tasks in accordance with § 56 of the Higher Education Framework Act and relevant state law. <sup>3</sup> The proportion of instruction provided by full-time instructors shall not be less than 40 percent. <sup>4</sup> In exceptional cases, this also includes professors at universities of applied sciences or universities who teach at a vocational academy as a secondary activity, provided that they ensure continuity in the course offerings and the consistency of the overall education, as well as the mandatory supervision and advising of students; the fulfillment of these requirements must be determined separately as part of the accreditation of the individual degree program.

(2) <sup>1</sup> Paragraph 1, sentence 1 applies *mutatis mutandis* to part-time faculty members who offer theory-based courses leading to ECTS credits or who participate as examiners in the supervision and evaluation of the bachelor's thesis. <sup>2</sup> Courses as described in the first sentence may, in exceptional cases, also be offered by part-time faculty members who hold a relevant university degree or an equivalent qualification, as well as subject-specific and pedagogical competence and several years of relevant professional experience in accordance with the requirements of the course.

(3) As part of the accreditation process, the following must also be reviewed:

1. the interaction between the different learning environments (academy and company),
2. the assurance of quality and continuity in the curriculum and in the support and advising of students, given the unique staffing structure at vocational academies, and

3. the existence of a sustainable quality management system that encompasses the various learning locations.

#### **Part 4 Procedural Rules for Program and System Accreditation**

##### **§ 22 Decision of the Accreditation Council; Awarding of the Seal**

(1) <sup>1</sup> Upon application by the institution of higher education, the Accreditation Council shall decide on accreditation by determining compliance with the formal criteria and the subject-specific and content-related criteria pursuant to Article 3, paragraph 5, sentence 1 of the State Treaty on Study Accreditation in conjunction with Parts 2 and 3 of this Regulation. <sup>2</sup> The basis for the decision regarding the formal criteria is an audit report pursuant to Article 4(3), sentence 1, item 2(b) of the State Treaty on Study Program Accreditation. <sup>3</sup> The basis for the decision regarding the academic and content-related criteria is an expert opinion pursuant to Article 3(2), sentence 1, item 4 of the State Treaty on Study Program Accreditation.

(2) The decision shall be issued in writing. It must be substantiated.

(3) <sup>1</sup> The institution shall be given the opportunity to comment prior to the Accreditation Council's decision if the Council intends to deviate significantly from the experts' recommendation. <sup>2</sup> The deadline for submitting comments is one month.

(4) <sup>1</sup> Upon accreditation, the Accreditation Council awards its seal to the degree program or the quality management system. <sup>2</sup> In the case of system accreditation, the institution of higher education is granted the right to award the Accreditation Council's seal itself for the degree programs it has reviewed.

(5) <sup>1</sup> The accreditation of Catholic theological degree programs that qualify students for the priesthood and the profession of pastoral assistant ("full theological studies") takes place exclusively in the form of program accreditation. <sup>2</sup> In the case of full-time and part-time theological degree programs, the decision of the Accreditation Council requires the approval of the competent ecclesiastical authorities.

##### **§ 23 Documents to be Submitted**

(1) The following documents must be attached to the application:

1. a self-evaluation report from the institution,

2. an accreditation report from an agency accredited by the Accreditation Council, consisting of an audit report and an expert opinion; in the case of system accreditation, the audit report refers to the evidence specified in items 3 and 4,
3. in the case of an application for system accreditation, additional evidence that at least one program has undergone the quality management system,
4. in the case of an application for system reaccreditation, evidence that, in principle, all bachelor's and master's degree programs have undergone the quality management system at least once.

(2) If the documents referred to in paragraph 1, item 2 are not written in German, translations into German must be submitted.

(3) Once the Accreditation Council makes an electronic data processing system available, it must be used.

#### **Section 24 Appointment of an Agency; Accreditation Report; Site Visit**

(1) <sup>1</sup> The institution shall commission an agency accredited by the Accreditation Council pursuant to Article 5, paragraph 3, sentence 1, number 5 of the State Treaty on Study Program Accreditation to evaluate the formal and subject-specific criteria and to prepare an accreditation report. <sup>2</sup> For Catholic theological degree programs that qualify students for the priesthood and the profession of pastoral assistant ("full theological studies"), the evaluation shall be conducted by the Agency for Quality Assurance and Accreditation of Canonical Degree Programs in Germany, which is accredited by the Accreditation Council.

(2) <sup>1</sup> The institution shall provide the Agency with a self-evaluation report that contains, at a minimum, information on the institution's quality objectives and on the formal and substantive criteria set forth in Parts 2 and 3. <sup>2</sup> The institution's self-evaluation report, in the preparation of which the student body must be involved, shall not exceed 20 pages and, for system and bundle accreditation, 50 pages.

(3) <sup>1</sup> The review report is prepared by the Agency; for degree programs pursuant to § 25(1), sentences 3 and 4, the review report requires the approval of the persons named therein. <sup>2</sup> The formal criteria set forth in Part 2 serve as the relevant standards for the review report. <sup>3</sup> It contains a proposal regarding

compliance with the formal criteria. <sup>4</sup> The review report shall be drafted using the template to be specified by the Accreditation Council. <sup>5</sup> The institution of higher education shall be informed immediately of any failure to meet a formal criterion.

(4) <sup>1</sup> The expert opinion shall be issued by the expert panel pursuant to § 25. <sup>2</sup> The expert panel shall receive the review report pursuant to paragraph 3. <sup>3</sup> The relevant standards for the expert opinion are the subject-matter and content criteria set forth in Part 3. <sup>4</sup> It shall contain a recommendation regarding compliance with the subject-matter and content criteria. <sup>5</sup> The report shall be drafted using the template provided by the Accreditation Council and shall not exceed 20 pages for program accreditation and 100 pages for system and cluster accreditation.

(5) <sup>1</sup> As part of the evaluation of the subject-specific and content-related criteria, the review panel shall conduct a site visit. <sup>2</sup> In the case of the accreditation of a degree program that is not yet offered at the time the Agency is commissioned (concept accreditation), the review panel may, by mutual agreement, waive the on-site visit. <sup>3</sup> The same applies to the reaccreditation of a degree program.

#### **§ 25 Composition of the Review Panel; Requirements for Reviewers**

(1) <sup>1</sup> The agencies' panel of experts for program accreditation shall consist of at least four members. <sup>2</sup> It shall be composed as follows:

1. at least two personally university university professors or university professors,
2. a representative from the professional field with expertise in the subject area,
3. a student with relevant expertise.

<sup>3</sup> In the accreditation of degree programs that qualify students for admission to the preparatory service for a teaching career, a representative of the highest state authority responsible for the school system shall take the place of the person referred to in paragraph 2; for teacher training programs with the combined subject of Protestant or Catholic Theology/Religion, a representative of the locally competent diocese or regional church shall also be included. <sup>4</sup> In the

accreditation of theological degree programs that qualify students for the office of pastor, the priesthood, and the profession of pastoral assistant (“full theological degree”) and in all other bachelor’s and master’s degree programs with the combined subject of Protestant or Catholic Theology/Religion, the person referred to in paragraph 2 shall be replaced by a representative of the competent church authority. <sup>5</sup> For the degree programs mentioned in sentences 3 and 4, the submission of the expert opinion pursuant to § 24(4), sentence 1, requires the consent of the persons named in each case; without this consent, the expert opinion shall not be submitted to the Accreditation Council.

(2) <sup>1</sup> In the case of system accreditation, the agencies’ expert panel shall consist of at least five persons. <sup>2</sup> It shall be composed as follows:

1. at least three university faculty members with relevant experience in quality assurance in the area of teaching,
2. a representative from professional practice,
3. one student.

(3) <sup>1</sup> The university faculty members hold the majority of the votes. <sup>2</sup> In the respective panel of experts, the majority of the experts must have experience with accreditations. <sup>3</sup> In the case of a system accreditation, the majority of the experts must have experience with system accreditations.

(4) <sup>1</sup> The experts shall be appointed by the agency responsible for preparing the accreditation report. <sup>2</sup> In making these appointments, the agency shall comply with the procedure to be developed by the German Rectors’ Conference in accordance with Article 3 paragraph 3 sentence 3 of the State Treaty on Study Accreditation.

(5) Any person who

1. is employed by or enrolled at the institution submitting the application for accreditation,
2. is employed by or enrolled at one of the institutions participating in cooperative degree programs or joint degree programs, or

3. are considered biased according to the rules customary in academia.

(6) <sup>1</sup> The Agency shall inform the institution of higher education of the composition of the review panel prior to the appointment of the reviewers. <sup>2</sup> The institution of higher education has the right to submit comments within a period of two weeks.

### **§ 26 Validity Period of Accreditation; Extension**

(1) <sup>1</sup> The initial accreditation is valid for a period of eight years from the start of the semester or trimester in which the accreditation decision is announced. <sup>2</sup> If, in the case of program accreditation, the degree program has not yet been launched, the accreditation takes effect from the start of the semester or trimester in which the degree program is first offered, but no later than the start of the second semester or trimester following the announcement of the accreditation decision.

(2) <sup>1</sup> Prior to the expiration of the accreditation period, a subsequent accreditation (reaccreditation) must be initiated. <sup>2</sup> Reaccreditations are valid for a period of eight years.

(3) <sup>1</sup> If an accredited program is discontinued, the accreditation may be extended for students still enrolled at the expiration of the accreditation period. <sup>2</sup> The accreditation of a degree program may be extended for a period of up to two years if the institution is preparing an application for a cluster or system accreditation that includes the respective degree program. <sup>3</sup> Upon submission of an application for a cluster or system accreditation, the accreditation of degree programs whose accreditation expires during the proceedings may be provisionally extended for the duration of the proceedings plus one year.

### **§ 27 Conditions**

(1) A deadline of generally twelve months shall be set for the fulfillment of a condition.

(2) In justified exceptional cases, the deadline may be extended upon application by the institution.

(3) Proof of compliance with the condition must be provided to the Accreditation Council.

## **§ 28 Obligation to Report Changes**

(1) The institution is required to immediately notify the Accreditation Council of any significant change to the subject of accreditation during the accreditation period.

(2) The Accreditation Council shall decide whether the significant change is covered by the existing accreditation.

## **§ 29 Publication**

<sup>1</sup> The decision of the Accreditation Council and the accreditation report shall be published by the Accreditation Council on its website. <sup>2</sup>Personal data may not be disclosed in the publication unless the data subject has consented or obtaining the data subject's consent is not possible or would require disproportionate effort, and it is evident that the disclosure is in the data subject's interest. <sup>3</sup> Sentences 1 and 2 apply mutatis mutandis to internal accreditation decisions of system-accredited institutions of higher education.

## **§ 30 Bundle Accreditation; Partial System Accreditation**

(1) <sup>1</sup> The expert opinion of the expert panel pursuant to § 24(4) may cover multiple degree programs if they exhibit a high degree of disciplinary affinity that goes beyond mere affiliation with a disciplinary field (humanities and cultural studies, social sciences, or natural sciences) (bundle accreditation). <sup>2</sup> The subject-specific and content-related criteria under Part 3 must be assessed separately for each degree program. <sup>3</sup> A bundle shall consist of no more than ten degree programs.

(2) Upon application by the institution, the Accreditation Council may approve the specific composition of the bundle prior to the submission of the application pursuant to § 23.

(3) <sup>1</sup> In exceptional cases, a subunit of the institution responsible for organizing studies may be the subject of system accreditation. <sup>2</sup> This may be the case in particular if

1. accreditation of the quality management system for the entire institution is not yet appropriate or practicable,
2. the quality management system of the subunit in which is integrated into the university and

3. at least one student from the subunit has already completed this program.

### **§ 31 Sampling**

(1) <sup>1</sup> In the case of system accreditation and partial system accreditation, the expert panel shall conduct a random sample in accordance with § 25(2). <sup>2</sup> The random sample shall verify whether the intended effects of the quality management system under review are achieved at the program level.

(2) <sup>1</sup> The subject of the random sample is

1. the consideration of all criteria in accordance with Part 2 and Part 3 within a degree program that has undergone the institution's quality management system and
2. the consideration of formal and subject-specific criteria in accordance with Parts 2 and 3, as determined by the review panel

<sup>2</sup> When selecting the sample, the review panel shall take into account the range of disciplines offered by the institution in its teaching programs.

(3) <sup>1</sup> If the institution offers degree programs that also prepare students for a regulated profession, one such program shall additionally be included in the sample, taking into account the criteria set forth in Parts 2 and 3 that pertain to degree programs; The same applies in the case of teacher training programs, with one program from each type of teaching qualification offered, as well as for programs in Protestant or Catholic theology/religion. <sup>2</sup> The sample shall include one representative appointed by the authority responsible for the respective regulated profession, or one representative appointed by the authority responsible for the respective regulated profession, or a representative of the highest state authority responsible for the school system, or of the respective church authority.

## **Part 5 Procedural Rules for Special Degree Programs**

### **§ 32 Combined Degree Programs**

(1) If students select individual subjects from a larger number of permissible subjects for their studies, each of these subjects constitutes a sub-program as part of a combined degree program.

(2) <sup>1</sup> The subject of accreditation is the combined degree program. <sup>2</sup> The institutions of higher education shall ensure, through their respective quality management systems, that the program is feasible in all possible subject combinations.

(3) <sup>1</sup> The accreditation of a combined degree program may be supplemented by the inclusion of additional elective sub-programs or subjects. <sup>2</sup> This does not alter the accreditation period for the combined degree program.

(4) <sup>1</sup> The accreditation certificate shall list all sub-programs or subjects included in the accreditation. <sup>2</sup> In the event of an addition to the accreditation pursuant to paragraph 3, a new accreditation certificate shall be issued.

(5) The provisions of Part 4 remain unaffected in all other respects.

### **§ 33 Joint Degree Programs**

(1)<sup>1</sup> For joint degree programs involving a domestic institution of higher education and other institutions from the European Higher Education Area, the accreditation decision may, in deviation from § 22(1), be made by recognizing the evaluation conducted by an agency listed in the European Quality Assurance Register for Higher Education (EQAR). <sup>2</sup> The Accreditation Council shall recognize this evaluation upon application by the institution and grant its seal if compliance with the formal and substantive criteria for joint degree programs pursuant to Parts 2 and 3 of this Regulation has been demonstrated and the evaluation procedure has met the following requirements:

1. the Accreditation Council was notified of the conduct of the procedure prior to its commencement,
2. The accreditation decision is based on a self-evaluation report submitted by the participating institutions, which includes, in particular, information on the respective national regulatory frameworks and highlights the distinctive features of the joint degree program,
3. an on-site visit has taken place at at least one location of the program with the participation of representatives from all cooperating universities as well as other stakeholders,
4. The evaluation is based on an expert report that complies with the requirements for joint degree programs in Parts 2 and 3,

5. the evaluation was conducted by a panel of at least four experts, composed as follows:
  - a. members from at least two of the countries participating in the joint degree program,
  - b. at least one student representative,
  - c. the review panel represents expertise in the relevant subjects and disciplines, including the labor market/working world in the relevant fields, and expertise in the area of quality assurance in higher education, and possesses knowledge of the higher education systems of the participating institutions as well as the languages of instruction used, and
  - d. the requirements pursuant to Section 25(3), first sentence, and paragraphs 5 and 6 have been met,
6. the evaluation identifies the following characteristics: justification, finality, and, where applicable, demonstrated fulfillment of conditions, and
7. the Agency has published the expert opinion and the evaluation on its website in German and English.

<sup>3</sup> § 22, paragraphs 2, 3, and 4, sentence 1; § 26, paragraph 1, sentence 1, and paragraph 2, sentence 1;

Sections 28 and 29 apply mutatis mutandis. <sup>4</sup> Notwithstanding Section 26(1), first sentence, and (2), second sentence, the accreditation period is six years. <sup>5</sup> Upon publication, the decision shall be identified as an accreditation decision based on the separate procedure for joint degree programs. <sup>6</sup> The institution must clearly indicate this in the degree documents.

(2) If a joint degree program is coordinated and offered by a domestic institution of higher education together with one or more institutions of higher education from foreign countries that do not belong to the European Higher Education Area (non-European cooperation partners), paragraph 1 shall apply mutatis mutandis upon application by the domestic institution if the non-European cooperation partners commit in the cooperation agreement with the domestic institution to accreditation in accordance with the criteria set forth in paragraph 1, as well as in Sections 10(1) and (2) and 16(1).

**Part 6 Alternative Accreditation Procedures Pursuant to Article 3(1)(3) of the State Treaty on Study Accreditation**

**Section 34 Alternative Accreditation Procedures**

(1) In addition to the two procedures set forth in Part 4, alternative procedures for ensuring and developing quality in academic studies and teaching may also be implemented in accordance with Article 3(1)(3) of the State Treaty on Study Accreditation.

(2) <sup>1</sup> Alternative procedures must comply with the criteria set forth in Parts 2 and 3 of this Regulation. <sup>2</sup> The provisions of Article 3(2), first sentence, of the State Treaty on Study Accreditation as well as the principles governing the appropriate involvement of the academic community set forth in the State Treaty on Study Program Accreditation and in this Regulation shall apply mutatis mutandis; likewise, the requirements for participation and consent pursuant to § 18(2) shall apply mutatis mutandis.

(3) <sup>1</sup> The implementation of alternative procedures requires the prior approval of the Accreditation Council and the competent state science authority of the respective state; the Accreditation Council may commission an external review. <sup>2</sup> The application must be submitted to the Accreditation Council via the competent state science authority. <sup>3</sup> In consultation with the state, the Accreditation Council may refuse its approval only if the alternative procedure does not comply with the requirements of Article 2 and the provisions of Article 3(2), first sentence, of the State Treaty on Study Accreditation as well as the principles for the appropriate involvement of the academic community set forth in the State Treaty on Study Program Accreditation and in this Regulation. <sup>4</sup> The alternative procedure shall be suitable for gaining fundamental insights into alternative approaches to external quality assurance beyond the in Article 3 Paragraph 1 Numbers 1 and 2 State Treaty on Study Accreditation.

(4) The Accreditation Council shall develop rules of procedure that regulate, in particular, the application requirements.

(5) <sup>1</sup> The alternative procedure shall be limited to a maximum of eight years. <sup>2</sup> Section 22(4), second sentence, and Section 26(3), third sentence, shall apply mutatis mutandis. <sup>3</sup> It shall be monitored by the Accreditation Council and, as a rule, evaluated by an independent, research-oriented institution two years prior to the expiration of the project period.

## **Part 7 Miscellaneous**

### **Section 35 Relationship to Procedures Concerning the Professional Qualification of a Degree Program**

(1) Accreditation procedures pursuant to Article 3(1)(1) and Article 3(1)(2) of the State Treaty on Study Program Accreditation may, upon application by the institution of higher education, be organizationally linked to procedures that determine the suitability of a study program under professional licensing law.

(2) The participation of external experts to be appointed in addition to the other representatives or representatives of professional practice in an advisory capacity on the review panels pursuant to § 25(1) and (2) shall be effected through nomination by the state authority responsible for the respective regulated profession.

### **§ 36 Evaluation**

(1) Three years after this regulation enters into force, its application and effects shall be reviewed.

(2) The Standing Conference of the Ministers of Education and Cultural Affairs of the Länder in the Federal Republic of Germany shall be informed of the outcome.

### **§ 37 Entry into Force**

**Explanatory Memorandum to the Model Statutory Ordinance**

**pursuant to Article 4, paragraphs 1 through 4, of the State Treaty on Study Program  
Accreditation**



## Preliminary Remarks

On December 8, 2016, the Conference of Ministers of Education and Cultural Affairs agreed on the draft of a State Treaty on the Organization of a Joint Accreditation System for Quality Assurance in Studies and Teaching at German Universities (State Treaty on Study Accreditation), which has since been signed by the heads of government of all states. With this State Treaty, the states have implemented the requirements of the Federal Constitutional Court, which, in its decision of February 17, 2016, defined the legal requirements for the accreditation system as a quality assurance instrument in the higher education sector. The State Treaty on Study Program Accreditation now establishes the legal framework for accreditation as a binding, academically guided external procedure for quality assurance and development in teaching.

In addition to standardizing content-related as well as procedural and organizational requirements—which are to be established by the legislature itself—the Federal Constitutional Court also identified a need for formal regulations, particularly regarding the academically appropriate composition of the stakeholders and the procedures for establishing and revising the evaluation criteria. Resolutions by the Conference of Ministers of Education and Cultural Affairs and the Accreditation Council have been deemed insufficient as executive agreements.

Article 4 of the State Treaty on Study Program Accreditation therefore contains an authorization for state regulations to specify the details regarding

- the formal criteria
- the subject-specific and content-related criteria
- the procedures and processes
- the composition of the committees.

On this basis, this model regulation sets forth the joint requirements of the states regarding the essential structural and qualitative standards for the accreditation of bachelor's and master's degree programs, which are necessary to ensure the states' obligation under Article 1(2) of the State Treaty on Study Program Accreditation to ensure the equivalence of corresponding academic and examination achievements as well as degrees and the possibility of transferring between institutions of higher education.

The regulations are based on the relevant resolutions of the Conference of Ministers of Education and Cultural Affairs on the bachelor's and master's degree system<sup>1</sup> and on quality assurance through accreditation, in particular the joint state structural requirements and the existing rules for

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<sup>1</sup> In particular, the Joint State Structural Guidelines for the Accreditation of Bachelor's and Master's Degree Programs (Resolution of the Conference of Ministers of Education and Cultural Affairs of October 10, 2003, as amended on February 4, 2010), see [https://www.Kultusministerkonferenz.org/fileadmin/Dateien/veroeffentlichungen\\_beschluesse/2003/2003\\_10\\_10-Laendergemeinsame-Strukturvorgaben.pdf](https://www.Kultusministerkonferenz.org/fileadmin/Dateien/veroeffentlichungen_beschluesse/2003/2003_10_10-Laendergemeinsame-Strukturvorgaben.pdf)

the accreditation of the Accreditation Council, proposals of its working group "Regulatory revision" as well as the standards and guidelines for quality assurance in the European Higher Education Area (ESG). However, the opportunity was also taken to further streamline and optimize the procedures based on previous experience with accreditation, thereby contributing to cost reduction and the elimination of bureaucracy. In addition, the results of consultations with representatives of the German Rectors' Conference, the Accreditation Council, the agencies, the Association of Private Universities, students, and the school sector have been incorporated.

Regulations regarding the fees to be charged by the agencies, for which the State Treaty on Study Accreditation also provides an enabling basis (Article 4, Paragraph 5), are not the subject of this model regulation but remain—where necessary—reserved for separate regulations based on a further model regulation of the Conference of Ministers of Education and Cultural Affairs. It is planned to evaluate cost trends after two years in order to decide, on this basis, on the necessity of cost caps.

In drafting the model regulation, the Conference of Ministers of Education and Cultural Affairs was guided by the principle enshrined in the State Treaty on Study Accreditation that ensuring and developing the quality of study and teaching is primarily the responsibility of the universities. The Conference of Ministers of Education and Cultural Affairs assumes that the universities will, on their own responsibility and across the board, prioritize the quality of study in the design of their degree programs.

The following explanatory notes are intended to provide clarifications and guidance on the implementation of the state regulations to be enacted on the basis of the Model Statutory Ordinance, in order to ensure that uniformity of application is guaranteed within the framework of accreditation and that the objectives of the State Treaty pursuant to Article 1, Paragraph 2 are not jeopardized by divergent practices. In this context, the principle—which has been strongly advocated to date—continues to apply that existing discretionary leeway, as expressed in the Model Statute through a multitude of discretionary or mandatory provisions and restrictive formulations, must be utilized flexibly and productively. However, the exercise of this discretion requires a comprehensible justification by the universities, which must be presented and verified within the framework of the accreditation of degree programs or in the corresponding internal quality assurance processes.

## **II. On the Individual Provisions Part**

### **1 – General Provisions**

#### **§ 1 – Scope**

Paragraph 1 defines the subject matter of the Model Statute, which, pursuant to Article 2, Paragraphs 2 and 3, and Article 3, relates to the formal criteria, the subject-specific content criteria, and the procedure.

Paragraph 2 takes into account the resolution of the Conference of Ministers of Education and Cultural Affairs on the “Classification of Bachelor’s Degree Programs at Vocational Academies within the Consecutive Study Structure” dated October 15, 2004<sup>2</sup>, which stipulates that degree programs at vocational academies leading to the degree title “Bachelor” must be accredited. In this context, the regulations for program accreditation apply, unless special provisions set forth in § 8(6) and § 21, which are based on the dual structure of the training, apply. The degree title “Bachelor” awarded by vocational academies is not a higher education degree, but a state-recognized degree title.

Accreditation in accordance with the provisions of the (Model) Statutory Ordinance forms the basis for the equivalence under higher education law of Bachelor’s degrees from vocational academies with Bachelor’s degrees from universities, which in particular opens access to Master’s degree programs and thereby increases the permeability of the education systems. It is expected that equivalence under higher education law will also be accompanied by equivalence under professional law.

#### **§ 2 – Forms of Accreditation**

Section 2 defines, in implementation of Article 3(1) of the State Treaty on Study Program Accreditation, the possible subjects of accreditation to which the subsequent provisions of this statutory order apply.

### **Part 2 – Formal Criteria for Degree Programs**

Part 2 primarily addresses the joint structural requirements agreed upon by the federal states, through which the states have agreed on the core elements of the tiered degree system as the basis for mobility during studies and mutual recognition of degrees within Germany and the European Higher Education Area.

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<sup>2</sup>[http://www.Kultusministerkonferenz.org/fileadmin/veroeffentlichungen\\_beschluesse/2004/2004\\_10\\_15-Bachelor-Berufsakademie-Studienstruktur.pdf](http://www.Kultusministerkonferenz.org/fileadmin/veroeffentlichungen_beschluesse/2004/2004_10_15-Bachelor-Berufsakademie-Studienstruktur.pdf)

### **Section 3 – Program Structure and Duration of Study**

Paragraph 1 establishes the principle that, within a tiered degree system, the bachelor's degree constitutes the standard qualification. It must be characterized by an independent, professionally qualifying profile that enables graduates to enter professional practice in their respective fields. This does not preclude the possibility that, for certain professions, the requirements prescribed by professional regulations are met only at the master's level.

The master's degree is defined as a further professional qualification at the university level.

Paragraph 2 provides the framework for the planning and design of bachelor's and master's degree programs at universities; it does not regulate individual study patterns.

The flexibility of 3-, 3.5-, and 4-year Bachelor's programs and 1-, 1.5-, or 2-year Master's programs in full-time study allows for a program structure that meets the requirements of the respective discipline and academic culture. Bachelor's programs with a standard duration of less than three years of full-time study are excluded. The total standard period of study until the master's level is reached in consecutive degree programs is 10 semesters.

Exceptions are possible in the core artistic disciplines at art and music colleges. Subject to further provisions of state law, consecutive bachelor's and master's degree programs with a total duration of 6 years may also be established in these disciplines<sup>3</sup>. Furthermore, state law may also provide for the adjustment of standard periods of study subject to appropriate organizational arrangements.

Paragraph 3: The exemption for the "full theological program" is formulated with reference to Article 17, Paragraph 2 of the State Treaty on Study Accreditation and in light of the agreement between the Conference of Ministers of Education and Cultural Affairs, the Evangelical Church in Germany, and the German Catholic Bishops' Conference, "Key Points for the Study Structure in Programs in Catholic or Evangelical Theology/Religion" - Resolution of the Conference of Ministers of Education and Cultural Affairs of December 13, 2007<sup>4</sup>. In this agreement, the churches have agreed to follow the structural requirements pertaining to the degree program. With regard to the requirements for a church office

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<sup>3</sup> Note: The core artistic subjects are not defined in detail here. The decision regarding the inclusion of fine arts degree programs in the tiered study structure and the classification of a subject as a core artistic subject is made by the respective state and university.

<sup>4</sup>  
[http://www.Kultusministerkonferenz.org/fileadmin/Dateien/veroeffentlichungen\\_beschluesse/2007/2007\\_12\\_13-Eckpunkte-Studienstruktur-Theologie.pdf](http://www.Kultusministerkonferenz.org/fileadmin/Dateien/veroeffentlichungen_beschluesse/2007/2007_12_13-Eckpunkte-Studienstruktur-Theologie.pdf)

However, different regulations may apply to specific qualifying degree programs. The division into Bachelor's and Master's degrees is therefore not mandatory. Full-time theology degree programs with a standard duration of ten semesters are, however, subject in all other respects—with the exception of the degree (see § 6, paragraph 2, sentence 6, and the explanatory memorandum)—to the formal and substantive criteria of accreditation.

#### **§ 4 – Program Profiles**

Paragraph 1 sets forth provisions regarding the profile of master's degree programs. Regardless of the type of institution, master's degree programs may be classified as "application-oriented" or "research-oriented." Given the elimination of the distinction between programs at universities of applied sciences and traditional universities, this differentiation serves to enhance transparency for students and the labor market. If a profile type is designated, it must be clearly reflected in the structure of the program.

At colleges of art and music, master's programs may have a special artistic profile.

Master's programs that provide the educational prerequisites for a teaching career, on the other hand, must have a specific teaching-related profile. For this purpose, the joint state-level subject-specific requirements for teacher training (standards in educational sciences as well as joint state-level content requirements for the subjects and their didactics) and any state-specific content and structural requirements must be applied as assessment criteria.

The respective profile must be verified during the accreditation process.

Paragraph 2: For master's programs, a distinction is made—regardless of the type of institution—between consecutive and continuing education programs, which are defined in more detail in § 11, paragraph 3.

Professional master's programs lead to the same level of qualification and the same entitlements as consecutive master's programs. Therefore, the same requirements regarding the standard period of study and the requirement for a thesis apply to them.

Paragraph 3 clarifies that the requirement for a thesis is an indispensable quality criterion for all degree programs. In artistic degree programs, the term "thesis" may also be understood to mean a "final project." The thesis serves as proof of the student's ability to independently address a problem within the respective field using scientific or artistic methods within a specified timeframe. Regarding the scope of final theses

see § 8, paragraph 3.

### **Section 5 – Admission Requirements and Transfers Between Degree Programs**

Paragraph 1: Admission to a master’s program requires a first professional qualifying university degree<sup>5</sup>. This takes into account the nature of the master’s degree as a further professional qualifying university degree (see § 3, paragraph 1).

Under state law, an exception to the requirement of a first professional university degree is possible for continuing education and artistic Master’s programs if the first professional university degree is replaced by an entrance examination. Sentence 3 stipulates, with regard to the profile of continuing education master’s programs set forth in § 4(2), that admission requires qualified, i.e., professional practical experience relevant to the program’s qualification objective, generally of not less than one year.

Paragraph 2, sentence 1, takes into account the interests of colleges of art and music, which prioritize special artistic aptitude when granting admission to master’s programs. For admission to advanced artistic master’s programs—unlike other advanced master’s programs—state law may also take into account professional practical activities that are performed only during the course of study.

Paragraph 3: State law may provide for additional requirements for admission to master’s degree programs.

### **§ 6 – Degrees and Degree Titles**

Paragraph 1 establishes the principle that only one degree may be awarded for a successfully completed program. Exceptions are possible only within the framework of international collaborations leading to a double or multiple degree from the participating institutions. This precludes the simultaneous awarding of degrees from both the old and new degree systems. There is no differentiation of degrees based on the standard duration of study or the type of institution at which the degree was earned.

Paragraph 2 finally establishes the degree titles for Bachelor’s and consecutive Master’s degree programs. Instead of the degree titles Bachelor and Master

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<sup>5</sup> Note: The Model Statute does not contain any specific provisions regarding transitions between degree programs under different degree systems, for which the general credit transfer provisions apply. Universities and the federal states are free to regulate details in their examination regulations or in provisions under higher education law.

The Latin terms *Baccalaureus/Baccalaurea* and *Magister/Magistra* may also be used. For degree programs that cannot be clearly assigned to one of the subject groups listed in sentence 1, items 1 through 7, the degree title is determined by the program's academic focus. This applies to interdisciplinary and combined degree programs, but in particular also to polyvalent degree programs in the field of teacher education, for which degree titles under items 1 through 7 may be awarded. For continuing education master's programs, alternative designations remain possible. Subject-specific additions to degree titles and mixed-language degree titles are excluded, as are bachelor's degrees with the addition "honors."

Exceptions to the guidelines on degree titles apply to fully theological, non-tiered degree programs. These typically conclude with an academic degree. If the examination regulations provide for an academic degree, Section 3 of the "Guidelines" allows for the use of the degree title

"*Magister Theologiae*." This refers to the academic degree of "Master" in Latinized form and thus establishes a connection to the comprehensive Bologna Framework. It is left to the discretion of the theological faculties to confer this academic degree in its feminine form as well.

Paragraph 2, Number 7 regulates the designations for Bachelor's and consecutive Master's degrees for degree programs that provide the educational prerequisites for a teaching position. The degree designation "Master of Education" (Section B 2 of the "Joint State Structural Guidelines for the Accreditation of Bachelor's and Master's Degree Programs," resolution of the Conference of Ministers of Education and Cultural Affairs of October 10, 2003, as amended current version) should, in any case, in the interest of transparency and to avoid false expectations regarding mobility, be reserved for those degrees that—as a rule, nationwide—provide access to a preparatory service for a teaching career in accordance with state law.

Paragraph 3 provides for the issuance of certificates of equivalence and thus serves to establish transparency regarding the qualification level of Bachelor's and Master's degrees in comparison to the *Diplom* degree in the single-tier system. Certificates of equivalence are already standard practice at some universities.

Paragraph 4 stipulates that the Diploma Supplement is a mandatory component of every degree certificate. The Diploma Supplement is an additional document containing standardized information describing higher education degrees and associated qualifications, which is intended to facilitate the evaluation and classification of these degrees for both academic and professional purposes

. The version of the Diploma Supplement agreed upon by the Standing Conference of the Ministers of Education and Cultural Affairs and the German Rectors' Conference must be used in its currently valid form.

## **§ 7 – Modularization**

Paragraph 1 defines the requirements for modularization that must be demonstrated as part of the accreditation process. Modules consist of self-contained units of study, both thematically and in terms of time, that are assigned credit points. They may be composed of various forms of teaching and learning (e.g., lectures, seminars, internships, e-learning, teaching research, etc.). A module may cover the content of a single semester or an academic year, but in exceptional cases may also extend over several semesters. The fundamental time limit of two consecutive semesters serves two primary purposes. On the one hand, modules are intended to provide a transparent internal structure for degree programs and should therefore not be too large. Second, modules that extend over a longer period of time could restrict student mobility. If the institution deviates from this time limit, it must demonstrate that this has no adverse effect on the intended objectives or that such effects are offset by appropriate measures. Sentence 3 takes into account the specific characteristics of artistic degree programs.

Paragraphs 2 and 3 set forth the requirements for the description of modules. The description of the modules should provide students with reliable information regarding the course of study, content, qualitative and quantitative requirements, and integration into the overall concept of the degree program, as well as the relationship to other modules offered. The description should also enable an assessment of the module with regard to its transferability or recognition when changing institutions.

Paragraph 2 does not contain any rigid requirements that would prevent the flexible design of course offerings. Without prejudice to the universities' authority to design individual modules, the standards recommended in items 1 through 9 for the description of modules assume, however, that information on the following aspects will be provided:

1. Content and learning outcomes of the module
  - a) subject-specific, methodological, practical, and interdisciplinary content,
  - b) subject-specific, methodological, interdisciplinary competencies, key competencies,
  - c) learning and qualification goals, the in based on a to defining

overall qualification (target degree);

2. Teaching methods

Description of the individual teaching and learning methods (lectures, exercises, seminars, internships, project work, self-study);

3. Prerequisites for participation (in conjunction with paragraph 3)

Description of the knowledge, skills, and abilities required for successful participation, as well as preparation options for participation (including bibliographic references, references to multimedia-supported teaching and learning programs);

4. Applicability of the module (in conjunction with paragraph 3)

Description of how the module relates to other modules within the same degree program and to what extent it is suitable for use in other degree programs;

5. Requirements for the awarding of credit points

Description of the requirements for awarding credit points—in particular, examinations (type of examination, e.g., oral or written exam, presentation, term paper, as well as the scope and duration of the examination), proof of attendance, and opportunities for make-up work must be regulated in the examination regulations;

6. Credits and Grades

Separate reporting of credit hours and grades; in addition to the grade based on the German grading scale from 1 to 5, a relative grade must also be reported for the final grade. It is recommended that this be calculated in accordance with the current version of the ECTS Users' Guide;

7. Frequency of module offerings

Specify whether the module is offered every semester, every academic year, or only at longer intervals;

8. Workload

Specification of the total workload and the number of credit points to be earned for each module;

9. Duration of modules

Determination of the duration of the modules due to their impact on the course of study, the examination load, and the frequency of offering.

## **§ 8 – Credit Point System**

Paragraph 1 addresses the awarding of credit points. These serve as a quantitative measure of the student's overall workload and encompass both direct instruction and the time required for preparation and follow-up work on the course material (classroom and self-study), the effort involved in examinations and exam preparation, including final projects and term papers, as well as internships where applicable.

The awarding of credit points is based on the European Credit Transfer System (ECTS), which is applied within the European Higher Education Area as part of the Bologna Process and thus facilitates mutual recognition.

Sixty credit points are awarded per academic year, i.e., 30 per semester. For one credit, a student's workload in classroom and self-study is assumed to be between 25 and a maximum of 30 hours, so that the total workload for a full-time student per semester, including both the lecture and non-lecture periods, amounts to 750 to 900 hours. This corresponds to 32 to 39 hours per week over 46 weeks per year. The specific determination of how many working hours within this range correspond to one ECTS credit is set forth in the study and examination regulations.

Credit points are assigned to individual modules. They are awarded once the requirements specified in the examination regulations have been met, whereby successful completion of the respective module is required, not necessarily an examination.

Paragraph 2 stipulates that at least 180 ECTS credits are required to earn a bachelor's degree, and a total of —i.e., including prior studies up to the first professionally qualifying degree—a total of 300 ECTS credits. No exceptions to these planning requirements for higher education institutions are provided for. The deviations from the standard period of study permitted under § 3 relate exclusively to the time requirements and do not allow for any deviation from the ECTS credit requirements.

According to sentence 4, deviations from the 300 ECTS credit requirement for the Master's degree may be permitted in individual cases if the student possesses the appropriate qualifications. However, this exception applies exclusively to the individual student and not to the degree program. Accordingly, applicants may also be admitted to master's programs who, based on the total number of ECTS credits from their bachelor's studies, do not reach 300 ECTS credits. The prerequisite is proof of the qualifications required for

admission.

In accordance with the maximum standard period of study of 6 years (Section 3, Paragraph 2), the master's level can be attained with 360 credit points in consecutive bachelor's and master's programs in the core artistic disciplines at universities of the arts and music conservatories. The option of large-scale modules in the core artistic subject during the bachelor's program takes into account the unique characteristics of artistic education, which, due to its holistic approach, precludes a highly granular modularization.

Paragraph 3 regulates the scope of the final theses. To ensure a scope of work that is aligned with the educational objectives and level and is proportionate to the course load of the respective program, the scope of the Bachelor's thesis may not be less than 6 ECTS credits nor exceed 12 ECTS credits. For the master's thesis, a minimum of 15 and a maximum of 30 ECTS credits apply. These guidelines serve both quality assurance and the students' interest in degree programs that are not overburdened in terms of content or time. The ranges allow for flexible structuring while taking into account subject-specific characteristics.

In principle, these guidelines also apply to art and music colleges. In justified exceptional cases, the scope of the Bachelor's thesis in fine arts programs may be up to 20 ECTS credits and that of the Master's thesis up to 40 ECTS credits.

Paragraph 4 stipulates that deviations from the guidelines regarding the credit volume per semester are generally permissible for certain program formats, such as intensive programs. The upper limit is 75 ECTS credits, based on 30 hours per credit. In these cases, special attention must be paid to the feasibility of the program. Through measures related to the organization of studies, universities can help ensure the feasibility of such programs.

Paragraph 5 addresses the recommendation of the Conference of Ministers of Education and Cultural Affairs and the German Rectors' Conference regarding the awarding of a master's degree in teacher education with the planned inclusion of achievements from the preparatory service, dated June 12, 2007/July 8, 2008<sup>6</sup>. One option for incorporating the preparatory service into the master's program is the recognition of parts of the

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[https://www.Kultusministerkonferenz.org/fileadmin/Dateien/pdf/PresseUndAktuelles/Beschluesse\\_Veroeffentlichungen/Kultusministerkonferenz-Hochschulrektorenkonferenz-Empfehlung\\_12-06-08\\_08-07-08.pdf](https://www.Kultusministerkonferenz.org/fileadmin/Dateien/pdf/PresseUndAktuelles/Beschluesse_Veroeffentlichungen/Kultusministerkonferenz-Hochschulrektorenkonferenz-Empfehlung_12-06-08_08-07-08.pdf)

pre-service training. The benchmark for practical school training during the degree program and pre-service training is the “Standards for Teacher Education: Educational Sciences” (Conference of Ministers of Education resolution of December 16, 2004)<sup>7</sup> . On this basis, universities and institutions of the second phase of training agree on state-specific qualification frameworks, on the basis of which universities and institutions of the second phase of training jointly and by mutual agreement develop training formats and examination procedures amounting to up to 60 ECTS credits for a one-year training period as the basis for credit transfer toward the university degree program.

Paragraph 6 regulates specific features of the study structure for vocational academies. Vocational academies are institutions in the tertiary sector that provide at least three years of academically oriented and simultaneously practice-oriented training. The number of ECTS credits to be earned and the ratio of theory- to practice-based training components are based on the aforementioned resolution of the Conference of Ministers of Education and Cultural Affairs dated October 15, 2004<sup>8</sup> .

Comparability with university bachelor’s degree programs—as a prerequisite for equivalence under higher education law—requires that the theory-based components of training be in an appropriate balance with the practice-based components. The classification as “theory-based” and “practice-based” should not be made on an institutional basis but rather in relation to the learning content, so that theory-based ECTS credits can also be earned during the training phases in the workplace, provided the relevant requirements—which also apply to the teaching staff (see § 21)—are met. The establishment of a range of 120 to 150 ECTS credits for the theory-based components allows for a flexible structure that meets the requirements of the respective degree programs.

### **§ 9 – Special Criteria for Cooperation with Non-Higher Education Partners**

Section 9 establishes the specific formal criteria for non-higher-education collaborations pursuant to Section 19. Paragraph 1, sentence 1, stipulates—from the perspective of quality assurance and transparency—the requirement for a written collaboration agreement between the degree-granting institution and the collaborating educational provider regarding the nature, scope, and mutual obligations of the existing collaboration. Furthermore, for reasons of consumer protection, the scope and nature of the cooperation must be transparently presented on the website of the

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<sup>7</sup> Standards for Teacher Education: Educational Sciences (Resolution of the Conference of Ministers of Education and Cultural Affairs of December 16, 2004, as amended on June 12, 2014) under [http://www.Kultusministerkonferenz.org/fileadmin/Dateien/veroeffentlichungen\\_beschluesse/2004/2004\\_12\\_16-Standards-Lehrerbildung-Bildungswissenschaften.pdf](http://www.Kultusministerkonferenz.org/fileadmin/Dateien/veroeffentlichungen_beschluesse/2004/2004_12_16-Standards-Lehrerbildung-Bildungswissenschaften.pdf)

<sup>8</sup> See footnote 2

university.

Paragraph 1, sentence 2, emphasizes that universities, as guarantors of the quality of the degrees and qualifications they confer, are responsible for the quality assurance of study programs as well as for the credit transfer procedures for competencies acquired outside of higher education. Only those competencies that are equivalent in content and level to the part of the program of study to be replaced are eligible for credit transfer. Such knowledge and skills acquired outside the higher education system may replace no more than 50% of a higher education program. This ensures that a substantial part of the education underlying the higher education degree takes place under the direct responsibility of the awarding institution, i.e., through its own efforts.

Paragraph 2 makes it clear that program-specific collaborations with non-higher-education institutions can only be considered qualitatively equivalent if they generate verifiable additional academic and educational benefits for future students and for the degree-granting institution. This added value must be clearly demonstrated.

#### **§ 10 – Special Provisions for Joint Degree Programs**

This provision serves to implement the so-called European Approach to Quality Assurance of Joint Programs (EA)<sup>10</sup>. This is intended to enable the external quality assurance of degree programs—particularly those jointly developed and administered by higher education institutions in different countries within the European Higher Education Area—based on uniform procedural rules and criteria aligned<sup>with</sup> the Standards and Guidelines for Quality Assurance in the European Higher Education Area (ESG)<sup>11</sup>, which also underpin the European Higher Education Area. Corresponding provisions regarding the academic and content-related criteria and the procedural rules are set forth in Parts 3 and 4 of this Regulation (Sections 16 and 33). The provisions contained in Parts 2, 3, and 4 of this Regulation apply to joint degree programs only to the extent expressly provided for.

The regulations governing joint degree programs establish the legal framework for programs based on different criteria and procedural rules. They thus open up, beyond the scope of Article 5(3)

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<sup>9</sup> <https://www.ehea.info/>, currently 48 European countries

<sup>10</sup> <https://www.ehea.info/> <sup>11</sup><http://www.ehea.info/cid105593/esg.html>

Paragraph 2 of the State Treaty on Study Program Accreditation, which grants the Accreditation Council Foundation the authority to establish the conditions for the recognition of accreditation decisions by foreign institutions, allows for the issuance of accreditation decisions that deviate from the criteria and procedural rules defined in this regulation. Article 5(3), second sentence, of the State Treaty on Study Program Accreditation merely mandates the Accreditation Council Foundation to regulate the requirements for conducting corresponding recognition procedures based on the criteria and procedural rules set forth in the State Treaty on Study Program Accreditation and in the regulations issued pursuant to Article 4 of the State Treaty on Study Program Accreditation, without permitting any deviation from these requirements. Authorizing the Foundation to independently define criteria and procedural rules in such proceedings that deviate from these requirements is not consistent with the objectives set forth in Article 1, paragraphs 2 and 3, Article 4(6) of the State Treaty on Study Accreditation, but also in light of constitutional principles (in particular the principle of specificity and the theory of materiality).

Paragraph 1 defines the scope of application. In view of the differing criteria associated with the application of the EA—in particular, the requirement of 300 ECTS credits is not structurally mandatory for a master's degree, including the first degree—and pending clarification of other issues regarding the scope of application, this is initially limited to degree programs leading to a joint degree. Accordingly, a joint degree program is a program offered by a domestic higher education institution in collaboration with one or more foreign higher education institutions and leading to a degree awarded jointly by these institutions.

The participating institutions must be recognized as higher education institutions by the competent authorities of their respective countries. Their respective national legal frameworks must permit them to participate in joint degree programs and to award a joint degree (see B 1.1 EA).

Sections 1 through 5 establish the requirements for the structure of the study program and the cooperation that are essential for the scope of application.

Point 1 stipulates that the degree program must be based on a jointly coordinated and systematically interrelated coherent curriculum. This excludes models in which institutions cooperate only in the recognition of credits but do not maintain a joint curriculum (see Introduction to the EA).

Number 2 stipulates that each student must complete at least 25% of their coursework (measured in ECTS credits) at at least one of the foreign partner institutions. This excludes the application of the special provisions for joint degree programs in cases of cooperation involving optional study abroad or in cases where only foreign students are required to be mobile.

Paragraph 3 stipulates the requirement for a contractually regulated collaboration between the participating universities to ensure the sustainability of the study program, particularly in the interest of the students. The cooperation agreement concluded by the participating universities within the framework of their contractually regulated collaboration must, in particular, contain provisions regarding: the designation of the degree awarded in the program; coordination and responsibilities of the partners with regard to management and financial organization; admission and selection procedures for students; mobility of students and faculty; examination regulations and methods for assessing students; recognition of credit points and procedures for awarding degrees; and the involvement of all cooperating institutions in the design and implementation of the program (see B 1.3 EA).

Paragraph 4 ensures, in the interest of the students, that the degree program has a coordinated admissions and examination system (see B 1.3 EA).

Number 5 stipulates that participating institutions must have a common quality management system. This includes the application of common internal quality assurance processes by the participating institutions. These encompass, in particular, the quality assurance strategy, standards for the design and approval of degree programs, adherence to the principles of student-centered learning, teaching, and assessment, transparent regulations regarding admission and the course of study, recognition, and degree conferral; ensuring the competence of faculty; providing adequate resources to ensure the learning environment; sound information management; and ongoing monitoring and regular review of degree programs (see B 9 EA in conjunction with ESG 1.1 and Part 1 of the ESG).

Paragraph 2 establishes the formal criteria applicable to joint degree programs.

Sentence 1 explicitly stipulates, with regard to the participation of foreign higher education institutions and the political agreements reached within the European Higher Education Area, the application of the recognition principles of the so-called Lisbon Convention, which already apply to higher education institutions based in Germany by virtue of

federal or state law under the so-called Lisbon Convention<sup>12</sup> (see B 4.2 EA). These include:

- a right to recognition of competencies acquired as qualifications for or within the context of higher education studies, provided there are no significant differences between the competencies acquired and those to be demonstrated. This is to be assessed in particular against the qualification objective of the respective degree program,
- a reversal of the burden of proof in favor of the applicant,
- an obligation on the part of the higher education institution to provide reasons for negative decisions,
- the right to a review of the decision.

Sentence 2 clarifies that the principles regarding modularization and the credit point system set forth in Sections 7 and 8(1) also apply here and that the distribution of credit points must be clearly regulated (see B 3.2 EA).

Sentence 3 stipulates, in accordance with the political agreements within the European Higher Education Area, that a bachelor's degree program must comprise a minimum of 180 and a maximum of 240 credit points, and a master's degree program a minimum of 60 credit points (see B 3.3 EA). Sentence 4 clarifies, particularly in the interest of internationally mobile students, that relevant information about the program—such as admission requirements and procedures, the course catalog, and examination and assessment procedures—must be published and accessible to students at all times (see B 8 EA).

Paragraph 3 extends the scope of application of the criteria and procedural rules of the so-called European Approach, as set forth in Sections 10(1) and (2), Section 16(1), and Section 33(1) to joint degree programs conducted in cooperation with higher education institutions outside the European Higher Education Area, provided that the non-European cooperation partners have committed to applying these principles in a cooperation agreement with the domestic higher education institution.

### **Part 3: Academic and Content-Related Criteria for Degree Programs and Quality Management Systems**

This section serves to specify the academic and content-related criteria referred to in Article 2, paragraph 3 of the State Treaty on Study Program Accreditation.

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<sup>12</sup> Act of May 16, 2007, on the Convention of April 11, 1997, on the Recognition of Qualifications in Higher Education in the European Region, Federal Law Gazette 2007 II, p. 712 et seq., <http://www2.fzs.de/uploads/lissabonkonvention.pdf>

## § 11 – Qualification Objectives and Degree Level

Section 11 sets forth the criteria according to which the consistency of the qualification objectives and the degree level of the respective program concept must be assessed within the framework of the accreditation procedure.

Paragraph 1 refers to Article 2, Paragraph 3, Number 1 of the State Treaty on Study Program Accreditation, which lists as the qualification objectives of a study program the scientific or artistic competence corresponding to the intended degree level, as well as the ability to engage in qualified gainful employment and personal development. In view of the particular importance of the social relevance of study and teaching as part of the characteristic of personal development, this is explicitly mentioned in accordance with the definition provided by the Science Council in its 2015 recommendations on the relationship between higher education and the labor market<sup>13</sup>. As part of the accreditation process, it must be verified whether the qualification objectives and intended learning outcomes to be specifically defined by the institution for each degree program reflect these goals.

Paragraph 2: The aspects of the subject-specific, scientific, artistic, methodological, and personal development requirements described in paragraph 2 are based on the descriptors or competency dimensions of the Qualifications Framework for German Higher Education Degrees in its current version<sup>14</sup>, which was developed in cooperation between the German Rectors' Conference and the Standing Conference of the Ministers of Education and Cultural Affairs and in consultation with the Federal Ministry of Education and Research, and was adopted by the Standing Conference of the Ministers of Education and Cultural Affairs on February 16, 2017. This framework implements the Qualifications Framework for the European Higher Education Area<sup>15</sup> and encompasses the imparting of up-to-date subject-specific knowledge, interdisciplinary knowledge, and the generally recognized principles of good scientific practice, as well as the acquisition of methodological, personal, and social competencies and the assurance of employability and the ability for lifelong learning. During the accreditation process, it must be examined whether the program concept encompasses these aspects and whether they correspond to the level of the degree awarded.

Paragraph 3 sets forth, based on relevant resolutions of the Standing Conference of the Ministers of Education and Cultural Affairs<sup>16</sup> that have proven effective in previous accreditation practice, the requirements to be met in accreditation

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<sup>13</sup> <https://www.wissenschaftsrat.de/download/archiv/4925-15.pdf>, p. 40f

<sup>14</sup> [https://www.Kultusministerkonferenz.org/fileadmin/Dateien/veroeffentlichungen\\_beschluesse/2017/2017\\_02\\_16-QualificationFramework.pdf](https://www.Kultusministerkonferenz.org/fileadmin/Dateien/veroeffentlichungen_beschluesse/2017/2017_02_16-QualificationFramework.pdf)

<sup>15</sup> [http://media.ehea.info/file/WG\\_Frameworks\\_qualification/85/2/Framework\\_qualificationsforEHEA-May2005\\_587852.pdf](http://media.ehea.info/file/WG_Frameworks_qualification/85/2/Framework_qualificationsforEHEA-May2005_587852.pdf)

<sup>16</sup> See footnote 1

specifies the requirements for the bachelor's and master's levels in the tiered system and for different degree program profiles.

Sentence 1 clarifies the function of the bachelor's degree as the first professionally qualifying degree, which, as an undergraduate university degree, must provide a broad qualification and thus ensure both the ability to engage in professional activity and the capacity for further academic qualification and lifelong learning. In accordance with the differentiation of master's programs pursuant to

§ 4(2), consecutive Master's programs are defined in Sentence 2 as programs that deepen, broaden, are interdisciplinary, or focus on other subject areas. Sentences 3 and 4 regulate the specific requirements for professional Master's programs. Professional Master's programs are characterized by their focus on professional qualification. Therefore, prior professional experience is a constitutive element, which must be reflected in both the duration and the nature of the work. Any duration of prior professional experience shorter than the minimum of one year therefore requires special justification. The professional experience builds upon the prior first professional qualification and therefore cannot be replaced either by mandatory internships from the bachelor's phase or by professional experience prior to the start of the bachelor's program. In accordance with the educational objective, special attention must be paid during the accreditation process to the connection between professional qualification and the program concept, as demonstrated by the institution. The same applies to the review of the requirements, which—despite the predominantly professional orientation—must correspond both structurally (see also § 4, paragraph 2) and in terms of content to the qualification level defined for the master's level (see also paragraph 2). Sentence 5 specifies the qualification objectives for artistic bachelor's and master's degree programs.

Bachelor's and Master's degree programs may be pursued at various institutions of higher education, including different types of institutions, and may also include periods of professional activity between the first and second degrees.

## **Section 12 – Coherent Program Concept and Adequate Implementation**

Section 12 specifies the criteria for evaluating the respective program concept based on the structural requirements set forth in Section 3 et seq., and defines the framework conditions to be examined for adequate implementation. Particular emphasis is placed on the feasibility of completing the program within the standard period of study. The regulations are based on the standards adopted by the participating states of the European Higher Education Area at their ministerial conference in May 2015 regarding internal quality assurance at higher education institutions, particularly concerning the design of degree programs (Standard 1.2), student-centered learning, teaching, and assessment

(Standard 1.3), admission, course progression, recognition, and degree completion (Standard 1.4), faculty (Standard 1.5), and requirements for the learning environment (Standard 1.6).

Paragraph 1, sentence 1 requires a curriculum that is coherent with regard to the attainability of the qualification objectives, taking into account the entry qualifications (see Standard 1.2). Sentence 2 requires a correlation between qualification objectives (see also § 11, paragraphs 1 and 2), program title, degree level and degree title (see also § 6), and module concept (see also § 7). Sentence 3 calls for diverse teaching and learning methods adapted to the respective disciplinary cultures and the chosen program format, as well as practical components where appropriate (see Standard 1.3). Sentence 4 stipulates that the program must provide suitable conditions to promote student mobility, enabling students to spend time at other universities without losing academic credit. This includes, in particular, the consideration of mobility windows in program design and recognition procedures that consistently apply the principles of the Lisbon Convention<sup>17</sup> not only during stays at higher education institutions abroad but also within the country. Admission requirements for master's programs must also be designed to promote mobility and enable transfers between institutions and types of higher education institutions. Sentence 5 ensures that students are encouraged to actively participate in shaping the teaching and learning process. This ensures student-centered learning, teaching, and assessment as defined in Standard 1.3 of the ESG.

Paragraphs 2 and 3: In addition to program-specific aspects, the institutional framework must also be included in the evaluation to the extent that it has direct relevance to the implementation of the program. This encompasses both the teaching staff and the allocation of resources (see Standard 1.5 Teaching Staff and 1.6 Learning Environment). The wording allows for a degree of flexibility in the assessment that is tailored to the specific program.

Paragraph 2, sentence 1, stipulates that the teaching staff must ensure, both quantitatively and qualitatively, that the curriculum is adequately implemented. This also includes the teaching competence of the faculty. Sentence 2 requires that the connection between research and teaching be ensured by a sufficient number of full-time professors<sup>18</sup> who are regularly engaged in teaching. This applies to both undergraduate and graduate programs. Sentence 3 requires, as the basis for teaching that is qualified in terms of content and pedagogy in the respective

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<sup>17</sup> see footnote 12

<sup>18</sup> Due to differing definitions of the term "professor" under state law, different terms may be used in the regulations of the individual states.

program. These include, for example, structured processes for appointment procedures or a systematic offering of university teaching qualifications.

Paragraph 3 stipulates that resource allocation must also be included in the evaluation to the extent that it is significant for the implementation of the program design and the achievement of educational goals. The text in parentheses contains an illustrative list of possible resource characteristics, which, however, is not exhaustive and may be replaced or supplemented by others on a case-by-case basis.

Paragraph 4: The examinations and assessment methods provided must enable students to demonstrate the extent to which they have achieved the intended learning outcomes. Examinations must be module-based—rather than course-based—and designed to assess competencies. To ensure this, the assessment methods used must be subject to ongoing review and refinement.

Paragraph 5 ensures that the degree program is structured in such a way that a student can typically complete it successfully within the standard period of study and, in the second sentence, lists the components that must be assessed during the evaluation. This list is not exhaustive. Depending on the specific program concept (e.g., for programs with a special profile, see paragraph 6), additional factors may need to be considered here.

According to paragraph 1, one criterion for feasibility is predictable and reliable academic operations. This includes, in particular, the timely and comprehensive provision of information to students regarding all organizational aspects of the program, as well as the transparent and reliable planning and conduct of courses and examinations.

Furthermore, according to paragraph 2, it is required that courses and exams largely avoid overlapping. This applies above all to the compulsory module area and to frequently chosen subject combinations and compulsory elective modules. To the extent that avoiding overlap cannot otherwise be guaranteed, timely and transparent information must be provided to prospective students and current students.

Furthermore, pursuant to Section 3, the program concept must plausibly define the workload and examination burden in accordance with the formal requirements set forth in Sections 7 and 8, and these definitions must be continuously reviewed—in particular through regular workload surveys—and adjusted as necessary.

To ensure that students can actively shape the course of their studies, sufficient flexibility—particularly with regard to changing universities—and predictability for students, the learning outcomes of a module must be designed such that they can generally be achieved within one semester, but no later than within one year.

Furthermore, according to Section 4, an adequate frequency and organization of examinations is essential. Therefore, to reduce the examination burden, modules should generally be completed with only one examination and should generally comprise at least five ECTS credits. Thus, with 30 ECTS credits per semester in a full-time program, no more than six examinations per semester should be expected. In this context, an examination refers to legally valid proof that the qualification objective of the module has been achieved. This also includes prerequisite coursework, academic achievements, or other forms of evidence, such as the completion of an internship, the conduct of a laboratory experiment, or participation in field trips.

These are all target requirements, i.e., deviations are possible in justified exceptional cases. In doing so, the consistency of the respective module concepts and the consistency of the examination concept in relation to the qualification objectives of the respective module must be taken into account, as must the overall examination workload in the respective degree program<sup>19</sup>.

Paragraph 6: The assessment must take into account the program profile as defined by the institution. If the institution advertises or characterizes a program with specific features (e.g., international, dual, part-time while working, virtual, work-integrated, part-time), these features are part of the program profile and are therefore also subject to assessment.

In such cases, the criteria listed in paragraphs 1 through 5 must be applied in accordance with the specific profile from the respective specific perspective and measured against the special requirements to be defined by the institutions in each case. These include, in particular, aspects such as the specific target group, a special program organization, different learning locations, and the involvement of industry partners—for example, in dual models—specific teaching and learning formats, or the existence of a sustainable quality management system that encompasses the various learning locations. A degree program may be designated and advertised as “dual” if the learning locations (at least the university/vocational academy and the company) are systematically integrated in both

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<sup>19</sup> Joint State Structural Guidelines for the Accreditation of Bachelor’s and Master’s Degree Programs dated February 4, 2010 – Interpretive Notes – dated February 25, 2011, Number 5

are interlinked in terms of content, organization, and contractual arrangements<sup>20</sup>

### **Section 13 – Academic and Content-Related Design of Degree Programs**

Section 13 defines the framework conditions for the academic and content-related evaluation of degree programs and specifies the special requirements for teacher education programs.

Paragraph 1: In light of Article 5, Paragraph 3 of the Basic Law, the provision is limited to reviewing compliance with procedural requirements to ensure a substantively sound program concept and grants the evaluators broad discretion regarding content. According to the first sentence, this includes the existence of mechanisms or measures to determine the consistency of the academic and scientific requirements. According to the second sentence, it is also necessary to demonstrate regular monitoring and adjustment not only of the subject-specific and content-related design of the curriculum, but also of the methodological and didactic approaches, in order to ensure that the breadth and diversity of current scientific theories in the respective subject are conveyed. According to the third sentence, this can only be ensured if the academic discourse at the national and, where applicable, international level is systematically taken into account. This includes critical reflection on different subject-specific reference systems as well as continuous engagement with the latest state of research.

The use of modules from bachelor's programs in master's programs is permitted only in exceptional cases, provided that the partial qualification objective achieved upon successful completion of the respective module adequately contributes to the achievement of the overall qualification objective of the master's program. This applies to both consecutive and continuing education master's programs. However, the double use of modules in sub-areas of the program that build upon one another in terms of content must be excluded. Furthermore, it must be excluded that modules with essentially identical content can be taken in the bachelor's program and again in the master's program.

Paragraphs 2 and 3 define the subject-specific and content-related criteria for reviewing degree programs that provide the educational prerequisites for a teaching career. In view of the need to ensure high-quality school instruction and thereby guarantee comparable educational opportunities (state responsibility for the school system), uniform guidelines are required here. The regulations are based on the guidelines adopted for this purpose by the Conference of Ministers of Education

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<sup>20</sup> Due to differing definitions of the term "dual study program" under state law, the regulations of the states may use different definitions here.

Paragraph 2 regulates the requirement to verify that the curriculum complies with the joint state standards in the subject sciences and subject didactics as well as in the educational sciences. These arise from the joint state and, where applicable, state-specific content requirements based on the KMK resolutions in their currently applicable versions.<sup>22</sup> .

Paragraph 3 specifies the structural and conceptual criteria to be reviewed during accreditation and adopts the provisions set forth in the relevant KMK resolution. The exceptions permitted therein for the respective teaching profession in the subjects of art and music must be taken into account. Sentence 2 clarifies that exceptions to Sentence 1, Nos. 1 and 2, are also permissible for the teaching profession at vocational schools in accordance with the applicable resolutions of the Conference of Ministers of Education (Framework Agreement for the Teaching Profession 5).

### **Section 14 – Academic Success**

To ensure an efficient academic structure and thus academic success, continuous monitoring and adjustment of academic programs—incorporating the experiences of students and graduates—is essential not only in the interest of students and graduates but also in the interest of the sustainable use of resources and time. Section 14 establishes the criteria to be reviewed for this purpose. These include a closed-loop system with regular review (sentence 1), the implementation of measures based on the results of the review (sentence 2), and continuous monitoring of success as well as the use of the results for further development (sentence 3). Suitable monitoring measures include, in particular, course evaluations, workload surveys, or graduate surveys, as well as statistical analyses of the course of study and examinations and student/graduate statistics. The measures to be implemented can be of a diverse nature and may, in particular, concern the aspects mentioned in

sections 11 and 12. To ensure efficient and sustainable implementation, sentence 4 stipulates that the parties involved must be informed of the results and the measures taken, while observing data protection requirements,

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<sup>21</sup> In particular: Key points for the mutual recognition of Bachelor's and Master's degrees in degree programs that provide the educational prerequisites for a teaching career, resolution of the Conference of Ministers of Education and Cultural Affairs dated June 2, 2005, available at [http://www.Kultusministerkonferenz.org/fileadmin/Dateien/veroeffentlichungen\\_beschluesse/2005/2005\\_06\\_02-gegenseitige-Anerkennung-Bachelor-Master.pdf](http://www.Kultusministerkonferenz.org/fileadmin/Dateien/veroeffentlichungen_beschluesse/2005/2005_06_02-gegenseitige-Anerkennung-Bachelor-Master.pdf)

<sup>22</sup> See [footnote 7](#) regarding educational sciences; see regarding subject-specific sciences and didactics: Joint State Requirements for the Content of Subject-Specific Sciences and Didactics in Teacher Education (Resolution of the Standing Conference of the Ministers of Education and Cultural Affairs of October 16, 2008, as amended on March 16, 2017) at [https://www.Kultusministerkonferenz.org/fileadmin/Dateien/veroeffentlichungen\\_beschluesse/2008/2008\\_10\\_16-Subject-Profiles-Teacher-Education.pdf](https://www.Kultusministerkonferenz.org/fileadmin/Dateien/veroeffentlichungen_beschluesse/2008/2008_10_16-Subject-Profiles-Teacher-Education.pdf) Framework agreements for the individual teaching professions

must be informed.

### **§ 15 – Gender Equality and Compensation for Disadvantages**

To ensure equal opportunity, it is essential that the institution of higher education has sustainable and comprehensive strategies for gender equality and for supporting students in special life situations, and that these are also implemented in the individual degree programs. § 15 therefore stipulates that this must be verified during the evaluation.

### **§ 16 – Special Provisions for Joint Degree Programs**

Section 16 contains special provisions regarding the academic and content-related criteria for joint degree programs.

Paragraph 1, Sentence 1 governs the corresponding application of the subject-specific criteria listed therein.

In accordance with Section 11, paragraphs 1 and 2, the intended learning outcomes for joint degree programs must be aligned with the corresponding level of the Qualifications Framework for the European Higher Education Area, as well as with the applicable national qualifications frameworks. These must include knowledge, skills, and competencies in the respective discipline(s) (see B 2.1 and 2.2 EA). In accordance with Section 12(1), sentences 1 and 3, the structure and content of the curriculum must be designed in such a way that they enable students to achieve the intended learning outcomes (see B 3.1 EA). The program's design and the teaching and learning methods used must serve to achieve the intended learning outcomes (see B 5.1 EA). In accordance with § 12(2), sentence 1, and paragraph 3, it must be ensured that the staffing is sufficient in terms of both quality and quantity (qualifications, professional and international experience) to implement the degree programs (see B 7.1 EA). The material resources provided must also be sufficient and appropriate in view of the intended learning outcomes (see B 7.1 EA). In accordance with § 12(4), it must be ensured that the examination regulations and the assessment of the achieved learning outcomes correspond to the intended learning outcomes and that these are consistently applied by the partner universities (B 5.2 EA). In accordance with § 14, the workload and the average time required to complete the program must be monitored (B 3.3 EA).

Sentence 2 sets forth further requirements arising from the policy agreements of the European Approach.

Paragraph 1 further stipulates that the appropriateness of the admission requirements and the selection procedure must be assessed in light of the level and the academic discipline in which the program is situated (B 4.1 EA). The term “selection procedure” refers here to tests, interviews, and similar processes customary abroad, and not to a selection procedure in the legal sense of admission.

Paragraph 2 stipulates that the achievement of the learning outcomes intended by the program can be demonstrated (B 2.3 EA).

Paragraph 3 clarifies that relevant provisions of Directive 2005/36/EC<sup>23</sup> of the European Council and the European Parliament of September 7, 2005, on the recognition of professional qualifications, in its currently valid version, must be taken into account in the design and implementation, particularly in the area of regulated professions. This applies in particular with regard to specified minimum training requirements or common training frameworks (B 2.4 EA).

Section 4 stipulates that the diversity of students and their needs must be respected and taken into account in the design of the program, the teaching and learning methods applied, and the support provided to students (particularly with regard to their potentially diverse cultural backgrounds), and that the specific requirements of mobile students must be addressed (see B 5.1 and B 6 EA).

Paragraph 5 ensures that, when applying the EA at system-accredited institutions of higher education, the formal and academic criteria applicable to joint degree programs are taken into account as part of the quality management system.

Paragraph 2 extends the scope of application of the criteria and procedural rules of the so-called European Approach, as set forth in Sections 10(1) and (2), § 16(1), and § 33(1) to joint degree programs conducted in cooperation with higher education institutions outside the European Higher Education Area, provided that the non-European cooperation partners have committed to applying these principles in a cooperation agreement with the domestic higher education institution.

**Section 17 – Concept of the Quality Management System (Objectives, Processes, Instruments) and Section 18 – Measures for Implementing the Quality Management Concept):**

Sections 17 and 18 contain special provisions for the procedures pursuant to Article 3(1)( , (1) , and ( , (3) of the State Treaty on Study Accreditation, insofar as their

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<sup>23</sup>[https://www.anerkennung-in-deutschland.de/html/de/eu\\_anerkennungsrichtlinie.php](https://www.anerkennung-in-deutschland.de/html/de/eu_anerkennungsrichtlinie.php)

The subject of the review is the internal quality management systems of higher education institutions. The review defines the key requirements for a functional quality management system in teaching. The specific implementation is left to the individual institution, depending on its particular circumstances.

### **§ 17 – Concept of the Quality Management System (Objectives, Processes, Instruments)**

Paragraph 1 contains provisions regarding the review of the substantive requirements for a functional quality management system in teaching. According to the first sentence, the existence of a mission statement for teaching that is reflected in the degree programs must be demonstrated. This refers to the description of a binding mission statement for teaching at the institution, in which faculty, institutional leadership, faculties, program directors, and student representatives have agreed upon the overarching educational goals in accordance with the institution's profile. This includes a fundamental clarification of the educational institution's self-image, interdisciplinary didactic guidelines, and, where applicable, fundamental qualification objectives.<sup>24</sup> The mission statement must be reflected in the teaching profile of the individual degree programs, in terms of competency goals and levels. According to sentence 2, the quality management system is an integral part of the overall strategy for implementing the mission statement; it must therefore fit seamlessly into the university's relevant measures with the aim of further improving the quality of education through a structured and sustainable development process. According to sentence 3, evidence must be provided that the quality management system is structured and implemented in such a way that it ensures, on a permanent and sustainable basis and regularly throughout the respective accreditation cycle, the implementation of the formal and subject-specific criteria for the individual degree programs as set forth in Part 2 and Part 3 (§§ 11 to 15). Sentence 4 lists the central elements of the quality management system for which decision-making processes, competences, and responsibilities must be defined and implemented within the system, namely

- processes for the establishment, review, further development, and discontinuation of degree programs, and
- the procedure for the internal accreditation of degree programs in accordance with the formal and academic criteria set forth in Part 2 and Part 3 (Sections 11 through 15).

All processes and procedures must be formally established and communicated university-wide.

Paragraph 2 regulates the formal requirements for the quality management system of the

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<sup>24</sup> See the Science Council's position paper on "Strategies for Higher Education Teaching," April 2017, p. 16 ff., <https://www.wissenschaftsrat.de/download/archiv/6190-17.pdf>

university, guided by the ESG<sup>25</sup>. This includes

- the development of the quality management system with the participation of all university constituencies, i.e., academic and non-academic staff and students, as well as the incorporation of external expertise, such as from professional practice, from (international) representatives of other universities, and from agencies with experience in quality management at universities in accordance with ESG Standard 1.1 for the development of the quality assurance strategy (sentence 1);
- mechanisms to ensure the independence of quality assessments, particularly in the selection and appointment of reviewers and in internal university decision-making processes in accordance with ESG Standard 2.4 of the ESG on requirements for peer review experts (sentence 2, first clause);
- the definition of standard procedures for handling conflicts and the establishment of an internal grievance system, particularly for “internal” accreditation decisions, in accordance with ESG Standard 2.7 on complaints and appeals (sentence 2, second clause);
- the existence of closed-loop control systems that ensure, in a structured, transparent, sustainable, and reliable manner, continuous improvement in the quality of study programs, in accordance with ESG Standard 1.9 on the ongoing monitoring and regular review of study programs (sentence 3, first clause);
- the inclusion of all areas of activity directly relevant to studies and teaching (including academic advising, application, admission, and enrollment procedures), examination administration, teaching (including any collaborations), examination systems, student services, staff development, and continuing education in higher education pedagogy) (sentence 3, second clause);
- adequate and sustainable resource allocation for the implementation of the measures and processes envisaged in quality management. This includes, in particular, sufficient staff for the design, implementation, and administration of the processes of the quality management system and appropriate IT infrastructure, which is of particular importance for the necessary provision of meaningful data, cf. § 18(3);
- the regular review of the effectiveness of the quality management system with regard to the quality of studies and its further development, based on a continuous evaluation of the processes established within the system, and a

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<sup>25</sup> see footnote 11

Data-driven monitoring of results (sentence 4).

### **Section 18 – Measures for Implementing the Quality Management Concept**

Paragraph 1 governs the essential instruments of the quality management system. According to sentence 1, this includes regular evaluations of degree programs and the performance areas relevant to teaching and studies (see § 17, paragraph 2, sentence 3, second clause) by students from within and outside the institution, external academic experts, representatives from the professional field, and graduates. They ensure that evaluations within the framework of the internal quality management system are implemented in such a way that continuous impetus for quality improvement is provided. For this, the regular involvement of external expertise is indispensable. In accordance with ESG Standard

1.9 of the ESG (ongoing monitoring and regular review of degree programs), the following aspects in particular should be included in the evaluations: the relevance of the degree programs, changing societal needs, students' workload, study progress and degrees awarded, the effectiveness of examination procedures, students' expectations and needs, the learning environment, and support services. The results should be made available to the university community in an appropriate manner, while ensuring compliance with data protection regulations, in order to establish the necessary transparency and acceptance.

Sentence 2 requires that, if action is needed, appropriate measures be initiated and their implementation be reviewed.

Paragraph 2 clarifies that, in the internal accreditation of degree programs, the participation and consent requirements stipulated in § 25, paragraph 1, sentences 3 through 5, apply to teacher education programs, teacher training programs with the combined subject of Protestant or Catholic Theology/Religion, Protestant theological programs qualifying for the ministry, and other bachelor's and master's programs with the combined subject of Protestant or Catholic Theology. If the internal procedures provide for audit reports, the approval requirement pursuant to § 24(3) applies accordingly.

Paragraph 3 ensures that the data required for the development and implementation of the quality management system and for measuring the status of implementation as well as the effects of the measures taken (see paragraph 1) are collected university-wide and on a regular basis. Depending on the institution's profile and the quality management system, the following data may be particularly relevant: performance indicators, student body profile, study progress, success and dropout rates, student satisfaction with the degree programs, available

facilities and support, and career paths of graduates. When collecting data, care must be taken to ensure that the respective stakeholders (academic and non-academic staff and students) are involved in the provision and evaluation of the data as well as in the planning of follow-up activities (see also Standard 1.7 ESG, Information Management).

Paragraph 4, sentence 1 ensures that the institution comprehensively documents its internal accreditation procedures and regularly informs all relevant stakeholders in an appropriate manner about the measures taken to ensure the necessary transparency. Data protection requirements must be observed in this regard. Sentence 2 clarifies that the institution must not only inform the public in an appropriate manner about the results of its internal accreditation procedures, but must also provide the Accreditation Council with the information necessary for the documentation of results as stipulated in § 29, sentence 3.

### **§ 19 – Cooperation with Non-Higher Education Institutions**

Section 19 sets forth the conditions under which a higher education institution may enter into program-specific partnerships with non-higher-education institutions. A characteristic feature of such program-related collaborations is that degree programs or programs recognized as equivalent are conducted partially or even entirely outside the degree-granting institution, and that the collaborating educational provider is in an asymmetrical, subordinate relationship to the degree-granting institution. In the case of such a collaboration, the applicant is always the institution, pursuant to § 22(1) of this regulation. Collaborations with joint academic institutions serving multiple higher education institutions are not covered by the provisions of § 19. Sentence 1 makes it clear that the formal and subject-specific criteria set forth in Parts 2 and 3 of this Regulation also apply to such degree programs. Sentence 2 lists the decisions that, subject to the university's ultimate academic responsibility for the degree program, may not be delegated by the university to a cooperating educational institution. The criterion "procedure for selecting teaching staff" refers primarily to professorial teaching staff. The definition of the standardized criteria is based on the corresponding recommendation of the German Science Council, "Assessment and Recommendations on Program-Related Collaborations: Franchise, Validation, and Credit Transfer Models," from 2017. Sentence 2 does not apply to collaborations with state-run teacher training colleges in the second phase of teacher training programs, nor to school practicum phases in teacher training programs.

## **§ 20 – University Collaborations**

§ 20 governs degree-program-related collaborations between higher education institutions, unless, upon application by the participating domestic higher education institution or institutions in joint-degree programs, the special provisions contained in §§ 10, 16, and 33 of this Regulation apply.

The list of reservations in § 19, sentence 2, applicable to non-university cooperation partners generally does not apply to cooperation between universities. However, the degree-granting university or universities are responsible for the implementation and quality of the program concept. The nature and scope of the cooperation must be documented in a cooperation agreement between the universities.

The degree-granting institution or institutions are the applicants within the meaning of § 22(1) of this Regulation.

If a system-accredited institution of higher education carries out such a program-related cooperation, it may award the Accreditation Council's seal for the program, provided that it itself confers a higher education degree and ensures the implementation and quality of the program concept.

It follows from paragraph 3 that, to streamline procedures, higher education institutions may also cooperate at the level of their quality assurance systems, and that the organizational linking of multiple procedures is permissible in this context; a coordinated application by the cooperating higher education institutions is required pursuant to paragraph 3, sentence 2. This option will be particularly relevant for smaller or, where applicable, private higher education institutions. The shared use of, for example, quality assurance service facilities is, in principle, conceivable for the purpose of optimizing the use of resources. However, a decision on system accreditation must be made by each cooperating institution of higher education. The Agency's proposed decision must be prepared accordingly.

## **§ 21 – Special Criteria for Bachelor's Degree Programs at Vocational Academies**

Paragraph 1, sentences 1 and 2, set forth the requirements that individuals must meet if they are to serve as full-time faculty members at a vocational academy. Sentences 3 and 4 list additional requirements regarding personnel-related quality assurance for teaching operations: 40 percent of the teaching at the vocational academy must be provided by full-time faculty members. Professors at universities of applied sciences or universities who teach on a long-term part-time basis at a vocational academy are counted toward the quorum for the proportion of full-time faculty in the teaching program. All

requirements are based on the aforementioned resolution of the Conference of Ministers of Education and Cultural Affairs dated October 15, 2004<sup>26</sup> and must also be verified during the accreditation of degree programs at vocational academies.

Paragraph 2 specifies the requirements for individuals who wish to work as part-time instructors at vocational academies in order to ensure the quality of instruction. These requirements are also based on the aforementioned resolution of the Conference of Ministers of Education and Cultural Affairs dated October 15, 2004. For the defined courses, full-time instructors may also, in exceptional cases, be permitted to teach.

Paragraph 3 regulates additional requirements for degree programs at vocational academies that must be established during the accreditation process, arising from their unique staffing structure and the distinctive nature of study across various learning locations. These requirements are also based on the aforementioned resolution of the Conference of Ministers of Education and Cultural Affairs dated October 15, 2004.

#### **Part 4: Procedural Rules for Program and System Accreditation**

##### **§ 22 – Decision of the Accreditation Council; Awarding of the Seal**

Paragraph 1 governs the essential procedural elements for program and system accreditation. Departing from the previously practiced procedure of accreditation by the respective agency that decided on the accreditation, the State Treaty on Study Program Accreditation provides for a two-part accreditation process: Pursuant to Article 3(2), sentence 1, item 1 of the State Treaty on Study Program Accreditation, accreditation requires an application by the institution of higher education to the Accreditation Council, on the basis of which the Council decides on accreditation by means of an administrative act pursuant to Article 3(5), sentence 4 of the State Treaty on Study Program Accreditation. The administrative procedure thus begins at the time the institution of higher education submits its application to the Accreditation Council.

Pursuant to Article 3(5) of the State Treaty on Study Program Accreditation, the Accreditation Council's decision includes a determination of compliance with the formal criteria under Article 2(2) of the State Treaty on Study Program Accreditation, on the one hand, and the academic and content-related criteria under Article 2(3) of the State Treaty on Study Program Accreditation, on the other. If these criteria are met, accreditation must be granted. This constitutes a binding administrative act within the meaning of Section 35(1) of the Administrative Procedure Act (VwVfG).

The Accreditation Council reviews compliance with the formal criteria on the basis of an audit report. The Accreditation Council reviews compliance with the subject-specific and content-related criteria based on an expert opinion. Since it involves in each case

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<sup>26</sup> See footnote 2

Since these are recommendations of the Agency, the Accreditation Council is not bound by these assessments.

Paragraph 2 clarifies that the Accreditation Council's decision is made by means of a written notice. Administrative acts must generally be substantiated in accordance with § 39 VwVfG. Sentence 2 is therefore declaratory. In the reasoning for the decision, pursuant to Article 3, paragraph 4, sentence 3 of the State Treaty on Study Program Accreditation, particular attention must be given to any deviations by the Accreditation Council from the recommendations of the expert opinion regarding the subject-specific and content-related criteria.

Paragraph 3 incorporates Article 3(4) of the State Treaty on Study Program Accreditation, according to which the institution is given the opportunity to comment before the final decision is made. To avoid delays in the proceedings, the statement to be obtained by the Accreditation Council is limited, in accordance with administrative procedure law, to cases in which the Accreditation Council intends to deviate significantly from the report's recommendation. The institution is free to attach a statement to the agency's report as part of its application. This ensures compliance with the right to be heard, as expressed in Article 3(4) of the State Treaty on Study Program Accreditation.

Sentence 2 also sets a one-month deadline for submitting the statement. This deadline is intended to expedite the process.

Paragraph 4 stipulates that, upon successful accreditation, the Accreditation Council shall award its seal to the accredited degree program or quality assurance system. This continues the previous practice. The seal serves to ensure transparency.

In the case of system accreditation, the institution of higher education is granted the right to award the Accreditation Council's seal itself for those degree programs that it has reviewed on its own and that comply with the accreditation rules.

Accreditation with conditions does not result in a postponement of the awarding of the seal. This ensures that, in the case of conditions, a careful distinction is made between deficiencies that do not affect the accreditation decision itself and serious shortcomings that lead to a denial of accreditation.

The degree programs referred to in paragraph 5 are excluded by this provision from the possibility of inclusion in system accreditation and in alternative accreditation procedures. In principle, such inclusion appears conceivable while preserving the respective church participation rights; however, procedurally

, however, it would be disproportionately burdensome. This applies in particular to the precise definition of the role of the Agency for Quality Assurance and Accreditation of Canonical Degree Programs in Germany (AKAST) in such a procedure.

The requirement for approval by the competent ecclesiastical authority regarding the Accreditation Council's decision on fully theological and partially theological degree programs takes into account the fact that the expert opinion is of a recommendatory nature and is not binding on the Accreditation Council. This applies analogously to decisions of the Accreditation Council pursuant to Sections 26, 27, and 28.

### **§ 23 – Documents to be Submitted**

Paragraph 1: The application for accreditation must be accompanied by a self-report from the institution and the accreditation report commissioned by the institution from an agency accredited by the Accreditation Council, consisting of an audit report and an expert opinion. The self-report is the self-evaluation report required by Article 3, Paragraph 2, Number 2 of the State Treaty on Study Program Accreditation.

In the case of initial system accreditation, the audit report shall demonstrate that at least one degree program has undergone the quality management system (Section 3); in the case of renewal of system accreditation, it shall demonstrate that all bachelor's and master's degree programs have undergone the quality assurance system at least once (Section 4).

Paragraph 2: In accordance with Article 5, Paragraph 3, Item 5 of the State Treaty on Study Program Accreditation, foreign agencies may generally be approved by the Accreditation Council. Accreditation reports commissioned from foreign agencies must be submitted to the Accreditation Council with a German translation, unless they are written in German. This serves to streamline proceedings at the Accreditation Council.

Paragraph 3 stipulates, in the interest of a swift and smooth procedure, the obligation to submit applications electronically as soon as the Accreditation Council has established the necessary conditions.

### **§ 24 – Commissioning of an Agency; Accreditation Report; Site Visit**

Paragraph 1: Pursuant to Article 3, Paragraph 2, Sentence 1, Number 4 of the State Treaty on Study Program Accreditation, the basis for the Accreditation Council's decision is an accreditation report that the institution of higher education has previously commissioned from an agency accredited by the Accreditation Council.

The commissioning of the agency is of a private-law nature pursuant to Article 3, Paragraph 2, Sentence 2 of the State Treaty on Study Program Accreditation.

Sentence 2 addresses the specific provision that, for fully theological degree programs in Catholic Theology, in accordance with the aforementioned “Key Points”<sup>27</sup>, the evaluation is conducted exclusively by the Agency for Quality Assurance and Accreditation of Canonical Degree Programs (AKAST). The role of AKAST must also be taken into account in another respect. Pursuant to Article 5(3)(5) of the State Treaty on Study Program Accreditation, the Accreditation Council approves agencies under the conditions specified therein. For agencies listed with EQAR (European Quality Assurance Register for Higher Education), compliance with these conditions is “presumed unless proven otherwise.” However, AKAST is not listed with EQAR. Nevertheless, the Accreditation Council has approved AKAST for the German area. The agency thus effectively performs quality assurance activities in its field. The text of the ordinance makes an affirmative reference to this approval granted by the Accreditation Council. However, this does not preclude a new approval after a reasonable period of time.

Paragraph 2: Program and system accreditation shall be conducted in accordance with Article 3, Paragraph 2, Sentence 1, Number 2 of the State Treaty on Study Accreditation on the basis of a self-report by the institution of higher education, which must contain at least information on the institution’s quality objectives and on the formal and subject-specific criteria for accreditation. The student body must be involved in the preparation of the self-report. The report must be made available to the Agency—as is customary under the previous procedure—and subsequently submitted to the Accreditation Council.

The formal and subject-specific criteria must be listed separately in the self-report. The report should not exceed 20 pages for program accreditation and 50 pages for system and bundle accreditation. This is intended to simplify the procedure and make it more efficient.

Paragraphs 3 and 4: Paragraph 3 stipulates that the audit report is prepared by the commissioned agency. As a rule, this task is handled by the agency’s administrative office. This relieves the experts on the expert panel of the burden of reviewing purely formal criteria. The review panel is responsible for preparing the review report on the technical and substantive criteria. To this end, it receives the examination report in advance. Since the formal and technical/substantive criteria may be interrelated, the examination report is not binding on the review panel.

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<sup>27</sup> See footnote 4

For teacher education programs as well as for fully theological and partially theological programs, the examination report requires the approval of the respective competent authorities. This takes into account the resolution of the Conference of Ministers of Education and Cultural Affairs of June 2, 2005, “Key Points for the Mutual Recognition of Bachelor’s and Master’s Degrees in Programs that Provide the Educational Prerequisites for a Teaching Career” (the so-called Quedlinburg Resolution)<sup>28</sup> as well as the aforementioned “Key Points.”

Both the audit report and the expert opinion contain recommendations regarding the determination of compliance with the relevant criteria for the Accreditation Council; however, these are not binding. The accreditation report thus has the character of an expert opinion.

The provisions regarding the audit report and expert opinion do not contain any regulations on possible conditions, as these are to be considered only in exceptional cases in the future. If, during the review of the formal criteria, the agency determines that these are not met, the institution must be informed immediately to enable it to terminate the accreditation process if a positive accreditation decision by the Accreditation Council is not to be expected. The expert opinion may contain proposals for conditions requiring changes to subject-specific and content-related criteria, limited to those deficiencies that do not justify a negative accreditation decision and can be remedied within a specified timeframe.

No further specifications regarding the content of the reports are provided. This does not preclude the report from containing, for example, recommendations for the quality development of the program or the quality management system that are designed to achieve a quality improvement exceeding the standards to be applied in the accreditation by the Accreditation Council and therefore cannot form the basis for any requirements. In addition, the report may also identify best-practice models within the degree program. Through the publication of the reports—and, where applicable, monitoring by the Accreditation Council—these models can serve as examples for other institutions of higher education. Both can thus contribute to future quality development.

A prerequisite for the prompt processing of applications by the Accreditation Council is that the documents to be submitted follow a specified template. The ordinance assigns the task of developing a uniform template for expert opinions and audit reports to the Accreditation Council.

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<sup>28</sup> See footnote 21

To keep the workload for the agencies and the Accreditation Council to a minimum, the scope of the expert opinion is limited, with differentiated requirements applying to program, bundle, and system accreditation.

Paragraph 5: As has been customary, part of the evaluation involves an on-site visit to the institution by the evaluation committee, during which the committee can form its own impression of the framework conditions of the program to be accredited and engage in dialogue with the responsible faculty members, students, and the institution's administration. With regard to the mandatory spot checks required in system accreditation to verify the relevant characteristics of program design, program implementation, and quality assurance, as well as, where applicable, compliance with the criteria for the accreditation of regulated programs, two meetings are generally required for system accreditation procedures.

For degree programs that are newly developed by the institution and are not yet offered, the review panel may, by mutual agreement, waive an on-site visit if it adds no value to the assessment of the subject-specific and content-related criteria based on documentation (concept accreditation). The same applies in the case of reaccreditation.

## **§ 25 – Composition of the Review Panel; Requirements for Reviewers**

Paragraph 1 regulates the minimum size of the review panel and its composition for program accreditation. This allows for larger review panels in complex procedures—such as bundled accreditations—provided that the proportional representation of the groups involved is maintained.

Based on Article 4, Paragraph 3, Sentence 2 of the State Treaty on Study Program Accreditation, the majority of the review panel consists of university faculty members. This implements the requirement of the State Treaty on Study Program Accreditation that university faculty members must hold the majority of votes (weighted if necessary) on the panel responsible for the review. Furthermore, Article 3(2), sentence 1, item 3 of the State Treaty on Study Program Accreditation is specified and implemented with regard to the parties to be involved in the accreditation process.

Sentence 3, first clause, stipulates, with regard to the special features of degree programs that confer the qualification for admission to the preparatory service for a teaching career, that a representative of the highest state authority responsible for the school system shall take the place of a representative of the

professional practice. This ensures the committee's expertise without further expanding its size. The regulation establishes minimum standards. The states may stipulate more extensive participation requirements.

In the evaluation of the degree programs mentioned in the second half of the third sentence and in the fourth sentence, the participation of the respective competent church authority is required. The specific implementation of this provision follows the principle that, for fully theological and partially theological degree programs, church ministry is the most commonly chosen field of professional practice overall. Therefore, representation of professional practice by the churches is appropriate here. For religious education teachers, the civil service generally represents the professional career path. In this case, as with all other teacher training programs, representation for professional practice is provided by the highest state authority responsible for the school system. The church representative then joins as an additional member of the review panel.

All reviewers must belong to a field of study closely related to the program to be accredited.

Sentence 5 stipulates that for teacher training programs and the aforementioned theological programs, the submission of the expert opinion requires the consent of the relevant representatives. This takes into account, on the one hand, the resolution of the Conference of Ministers of Education and Cultural Affairs dated June 2, 2005, "Key Points for the Mutual Recognition of Bachelor's and Master's Degrees in Programs that Provide the Educational Prerequisites for a Teaching Career" (the so-called Quedlinburg Resolution)<sup>29</sup>. Since the accreditation decision has been transferred to the Accreditation Council by the State Treaty on Study Program Accreditation, the requirement for approval—without which the expert opinion cannot be submitted to the Accreditation Council—corresponds, on the other hand, to the intention of the aforementioned "Key Points ...<sup>30</sup>, since the accreditation decision can thus only be made following a positive evaluation by AKASt and therefore not against its vote.

Paragraph 2: In the case of institutional accreditation, the composition of the review panel corresponds in principle to that of program accreditation. However, the minimum number of reviewers is higher in view of the complexity and effort involved in institutional accreditation. The subject-specific requirements for reviewers do not apply because, in institutional accreditation, no degree programs are reviewed, but rather the

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<sup>29</sup> See footnote no. 21

<sup>30</sup> See footnote no. 4

the university's own quality assurance system. Therefore, experts are not required to have a disciplinary affinity with a specific field of study.

Paragraph 3, sentence 1 is intended to ensure that, in review panels exceeding the minimum size specified in paragraphs 1 and 2, university faculty members hold the majority of votes. This takes into account Article 3, paragraph 2, item 5 of the State Treaty on Study Program Accreditation, according to which accreditation procedures must be conducted with the participation of this group.

Sentences 2 and 3 stipulate that the majority of the members of the review panel must already have experience with the respective form of accreditation. This serves to enhance the efficiency of the procedure and increases the quality and acceptance of the review.

Paragraph 4: The review panel is assembled by the commissioned agency. When appointing individual reviewers, the agencies are bound by the procedure to be developed by the German Rectors' Conference, in accordance with Article 3, Paragraph 3, Sentence 3 of the State Treaty on Study Program Accreditation.

Paragraph 5: The State Treaty on Study Program Accreditation requires, in Article 3, Paragraph 2, Sentence 1, Number 3, that evaluators be external and independent. According to items 1 and 2, therefore, persons who work at or study at the institution whose degree programs or quality management system are to be evaluated are excluded from participating in an evaluation panel. Furthermore, pursuant to item 3, the rules on bias customary in academia apply to the evaluators, in particular those of the German Research Foundation (DFG).

Paragraph 6: Before the evaluators are appointed, the institution is informed by the agency of the composition of the evaluation panel and is given the opportunity to comment. This significantly increases acceptance of the evaluation panel and the evaluation process within the institution and the degree program to be accredited.

## **§ 26 – Validity Period of Accreditation; Extension**

Paragraph 1: The validity period for initial accreditation is uniformly eight years. Legally speaking, this constitutes a time limit within the meaning of § 36 VwVfG. This standardizes and significantly extends the previously customary accreditation periods of five years (program accreditation) and six years (system accreditation). This is intended to reduce the effort and costs associated with accreditation. In sentence 1, the start of the validity period is set to the beginning of the semester or trimester in which the accreditation decision is announced, in order to avoid disadvantages for students who

semester or trimester in which the accreditation decision is made. Furthermore, alignment between the semester or trimester and the accreditation periods is ensured.

Sentence 2 addresses the case of program-concept accreditation, in which the program has not yet been launched at the time the accreditation decision is announced. In the case of program-concept accreditation, the accreditation period begins at the start of the semester or trimester in which the program is first offered, but no later than the start of the second semester or trimester following the announcement of the accreditation decision. This ensures that the accreditation decision remains current and that a delayed launch of a degree program does not result in a disproportionately long period for reaccreditation.

In paragraph 2, sentence 1, the term “reaccreditation” is defined as a further accreditation that follows without interruption the validity period of an initial accreditation. The validity period of reaccreditation is also set uniformly at eight years, as opposed to the previously standard periods of seven years for program accreditation and eight years for system accreditation. The elimination of different reaccreditation periods serves to simplify the process and takes into account both the universities’ interest in legal certainty and the goal of continuous and reliable quality assurance.

Paragraph 3, sentence 1 addresses the special situation in which a higher education institution does not intend to continue an accredited degree program beyond the accreditation period. Since reaccreditation for an expiring degree program would entail disproportionately high costs, the Accreditation Council may extend the validity period of the accreditation until the students have completed their studies.

Sentences 2 and 3 contain provisions for the situation in which a higher education institution seeks bundle accreditation or transitions from program accreditation to system accreditation. In these cases, the institution should be able to focus on preparing for the bundle or system accreditation and be relieved of the program accreditation of degree programs that will be covered by the planned bundle or system accreditation. To this end, the Accreditation Council may extend the validity period of a program accreditation by up to two years if the institution can demonstrate that it is preparing a corresponding accreditation application (sentence 2). If the accreditation period for an accredited degree program expires at a time when the institution has already submitted an accreditation application to the Accreditation Council

If the institution has submitted an application, the validity period may be extended for the duration of the administrative proceedings before the Accreditation Council, plus one year (sentence 3). The option to extend the validity period by an additional year is necessary to give the institution, in the event of a transition to system accreditation, the time required to evaluate the relevant degree program in accordance with the quality management system it has developed, until the seal is awarded.

Furthermore, the previous option to extend the validity period of an initial accreditation because a reaccreditation report was not completed on time is no longer available. The validity periods of accreditations are standardized so that, provided an agency is commissioned in a timely manner, there is no longer a need for an exception. Moreover, compliance with deadlines within the framework of quality assurance measures should be reasonable.

### **§ 27 – Conditions**

On the basis of the State Treaty on Study Program Accreditation, higher education institutions are entitled to accreditation if and to the extent that the subject of accreditation meets the formal and subject-specific accreditation criteria. Accreditation is therefore a binding administrative act. Pursuant to Article 9(1), sentence 2, second clause of the State Treaty on Study Program Accreditation, it may be subject to an ancillary provision (condition, reservation of revocation, requirement, reservation of requirements) if such a provision is intended to ensure that the legal requirements for accreditation are met.

Paragraph 1 stipulates that a deadline of generally twelve months must be set for the fulfillment of a condition. This deadline takes into account the fact that changes to degree programs or quality management systems are often time-consuming to implement. For special cases, such as those requiring the conduct of an appointment procedure, an extension of the deadline may be granted upon application by the institution (paragraph 2).

Paragraph 3 clarifies that proof of compliance with the condition must be provided to the Accreditation Council that imposed the condition, and not to the agency commissioned to prepare the accreditation report. Confirmation from the agency that the condition has been met is not required; rather, the Accreditation Council itself must verify this. This serves to reduce costs.

### **§ 28 – Obligation to Report Changes**

Paragraph 1: Since accreditation is a continuing administrative act and changes regarding

formal or subject-specific criteria, significant changes must be reported to the Accreditation Council without delay. Significant changes may include, in particular, those affecting the program name, standard duration of study, degrees awarded, program design, qualification objectives, profile, and content of the programs. A significant change may also occur when specializations are established that result in substantially different competencies among graduates, or when an identical curriculum is offered in different formats, at different locations, or by different partners.

The notification requirement enables the Accreditation Council to verify that its accreditation decision remains current and, in the event of significant changes, to adapt it to the new circumstances as necessary (e.g., by imposing a subsequent condition or revoking the accreditation decision).

Paragraph 2 clarifies that a notification of change submitted by the institution obligates the Accreditation Council to examine whether the substantial change affects the accreditation decision. The Accreditation Council's subsequent decision constitutes a declaratory administrative act that may be challenged by the institution on its own merits. If the accreditation decision is revoked, it is appropriate to submit an application for re-accreditation. This clarification serves to ensure legal certainty.

## **§ 29 – Publication**

Article 3(6), sentence 2 of the State Treaty on Study Program Accreditation provides that the decisions of the Accreditation Council and the expert reports shall be published in an appropriate manner. This is further specified in § 29, sentence 1, whereby, in light of the requirements of the European Standards and Guidelines, the accreditation report—and thus the expert opinions and audit report—is expressly included in the publication requirement alongside the accreditation decision.

Publication on the Accreditation Council's website enables quick and timely access by interested students, prospective students, university members, and authorities.

Sentence 2 governs the handling of personal data. This includes, in particular, the names of the experts.

Sentence 3 extends the publication requirement to the internal accreditation decisions of system-accredited higher education institutions. In this context, the data protection provisions under sentence 2 apply accordingly.

### **Section 30 – Bundled Accreditation; Partial System Accreditation**

Paragraph 1: The existing option to combine multiple degree programs into a single bundled accreditation during program accreditation remains in place. However, to ensure practicality and maintain the quality of the procedures, no more than ten degree programs should be evaluated by a single committee. If more than ten degree programs requiring program accreditation are pending and exhibit a high degree of disciplinary similarity, multiple bundles must be formed. Since this is a guideline, exceptions to larger bundles are possible only in atypical situations, provided the quality of the evaluation is maintained. Reference is made to the possibility of adjusting the size of the evaluation committee to the bundle accreditation in accordance with Section 25(1).

Common structural features of several degree programs do not in themselves constitute academic similarity.

Sentence 2 clarifies that each degree program must meet the subject-specific and content-related criteria and that this must be assessed separately. This applies in any case to the formal criteria under Part 2 and the assessment report.

Paragraph 2: Since the composition of a bundle is of some significance for the subsequent review and the composition of the review panel, the possibility of prior approval of the specific composition of the bundle by the Accreditation Council is established. This serves to ensure legal certainty in the subsequent proceedings and is consistent with previous practice.

Paragraph 3 allows, in exceptional cases, for the system accreditation of a subunit of a higher education institution responsible for organizing studies (e.g., continuing education institutes or individual faculties). The requirements in sentence 2 are cumulative. The option of subsystem accreditation serves primarily to facilitate higher education institutions' entry into system accreditation. Multiple, permanent partial system accreditations within a higher education institution are not the aim of this provision. For this reason, the quality management system of the subunit must be embedded within the higher education institution (sentence 2, item 2).

### **Regarding § 31 – Random Sampling**

Paragraph 1: In system and subsystem accreditation, the review panel conducts a random sample. This remains justified with regard to the extension of the validity period of the system accreditation.

Paragraph 2: According to item 1, the spot check must demonstrate, using a degree program to be determined by the review panel, that the quality management system

ensures that all formal and subject-specific criteria are taken into account in the internal accreditation by the institution. Additionally, the sample check under Number 2 refers to formal and subject-specific criteria to be determined by the expert panel, compliance with which must be ensured by the quality management system under review.

Paragraph 3: The rules on participation set forth in § 25(1) apply analogously to the samples as well. See the rationale provided there.

## **Part 5 – Procedural Rules for Special Types of Degree Programs**

### **§ 32 – Combined degree programs**

Paragraph 1 defines the characteristics of a combined degree program. Such a program consists of two or more fields of study. Students or applicants may choose from several possible combinations. For the purposes of this regulation, the fields of study within a combined degree program are considered sub-programs.

Paragraph 2 clarifies that the object of accreditation is the combined degree program. The criteria for accreditation (Parts 2 and 3 of this regulation) must apply to the combined degree program as such. This applies in particular to the requirements under § 12. The institution must have a coherent concept for the entirety of the combined program offerings that integrates the qualification objectives of the component degree programs. The feasibility of study must be ensured for all possible combinations.

Pursuant to paragraph 3, additional component programs may be subsequently included in the accreditation of a combined degree program. The aforementioned requirements apply accordingly. The accreditation period for the combined degree program remains unchanged.

Paragraph 4 governs the format of the accreditation certificate for combined degree programs. In all other respects, the procedural rules of Part 4 apply in accordance with paragraph 5.

### **§ 33 – Joint Degree Programs**

This provision contains special procedural rules for joint degree programs. It is based on the policy agreements regarding the European Approach (EA). Accordingly, the Accreditation Council's accreditation decision in this context is structured as a decision to recognize an evaluation by an agency registered with EQAR (see A 1, first indent, EA). Such a decision is required only in procedures pursuant to Article 3 Paragraph 1 Number 2 of the

State Treaty on Study Accreditation (Program Accreditation), since the application of the criteria relevant to joint-degree programs at system-accredited institutions is ensured by § 16, No. 5 of this Regulation (see A 2, indent EA).

Since the European approach cannot be applied to fully theological and partially theological degree programs, the general regulations apply to joint degree programs in these fields of study.

Paragraph 1, sentence 1, stipulates that the evaluation may be conducted by an agency registered with EQAR at the request of the cooperating institutions and that this decision may serve as the basis for an accreditation decision at the request of the participating domestic institution(s). It is not necessary for this agency to have been approved by the Accreditation Council. To the extent that an agency accredited by the Accreditation Council is involved, this takes place outside the scope of the accreditation granted by the Accreditation Council. The scope of application is further limited to degree programs in which only domestic higher education institutions and higher education institutions from participating states of the European Higher Education Area cooperate.

Sentence 2 requires, as a prerequisite for a positive accreditation decision, proof of compliance with the criteria for joint degree programs set forth in Parts 2 and 3 of this Regulation. It also specifies the requirements for the evaluation procedure in detail.

Paragraph 1 contains a notification requirement prior to the initiation of a corresponding procedure with the Accreditation Council. This is intended to ensure that, even before the procedure is opened, it is verified whether the scope of this regulation for accreditation decisions on joint degree programs is applicable.

Sections 2 through 5 correspond to the requirements contained in the EA regarding procedures for the external quality assurance of joint degree programs. This includes a self-evaluation report submitted jointly by the cooperating institutions. This report must contain comprehensive information demonstrating compliance with the requirements applicable to joint degree programs. In addition, the report contains the necessary information on the respective national frameworks of the cooperating higher education institutions, which foreign agencies and experts may require in order to assess the context, particularly with regard to the program's classification within the national higher education system. The self-evaluation report explicitly focuses on the specific characteristics of the joint-degree program as a collaborative endeavor involving institutions from more than one national higher education system (Number 2; see C 1 EA). The site visit enables the evaluation team to discuss the joint-degree program on the basis of the self-evaluation report

and assess whether the program meets the requirements for joint-degree programs. The site visit therefore includes discussions with representatives of all cooperating institutions, in particular with institutional leadership and program coordinators, staff, students, and other relevant stakeholders such as alumni and representatives from professional practice. Although the site visit is generally limited to one location, the implementation of the program at all locations is taken into account in the evaluation (Number 3, see C 3 EA). The review panel prepares a report containing relevant evidence, analyses, and conclusions with reference to the requirements for joint degree programs. The report also includes recommendations for the further development of the program. In addition, the review panel issues a recommendation for the decision. The conclusions and recommendations pay particular attention to the specific characteristics of the joint degree program. The universities are given the opportunity to comment on the draft version of the report, including to point out any factual errors (Number 4, cf. C.4 EA). The review panel, consisting of at least four members, combines expertise in the relevant subjects or disciplines—including the labor market/professional world in the respective fields—with expertise in the area of quality assurance in higher education. Thanks to its international expertise and experience, the review panel can take into account the specific characteristics of the joint degree program. The review panel as a whole possesses knowledge of the higher education systems of the participating institutions, as well as of the languages of instruction used. The review panel includes members from at least two countries participating in the consortium that offer the program. At least one student is represented on the review panel. The provisions in § 25, paragraph 3, sentence 1 (majority of university faculty members in the evaluation), paragraph 5 (exclusion of reviewers to avoid conflicts of interest), and paragraph 6 (right of the institution to comment) apply accordingly (item 5, see C.2 EA).

Paragraph 6 stipulates that a positive accreditation decision based on an evaluation can only be made if the evaluation is substantiated, any conditions have been met, and the decision is final. Thus, it is not the responsibility of the Accreditation Council, but rather of the agency entrusted with the evaluation, to ensure that the decision is comprehensible to the institutions of higher education and that the follow-up process—including, where applicable, the fulfillment of conditions—has been completed. The agency is also required to publish the evaluation on its website. If the evaluation is not conducted in English

, at least the English summary of the report and an English version of the evaluation, including its justification, must be published (see C 5, 7, and 8 EA).

Sentence 3 clarifies that the Accreditation Council's accreditation decision to recognize the evaluation must also be issued in writing, must be substantiated, must give the institution an opportunity to comment within a one-month period, and that the Accreditation Council shall affix its seal in the event of a positive decision (Section 22, paragraphs 2, 3, and 4, paragraph 1). The accreditation decision takes effect at the beginning of the semester or trimester following its announcement, in accordance with § 26(1), first sentence. Reaccreditation must be initiated in a timely manner before the expiration of the accreditation (§ 26(2), first sentence). For accreditation decisions regarding joint degree programs as well, the institution must notify the Accreditation Council of any significant changes (Section 28), and the decision, together with the expert opinion, must be published by the Accreditation Council. The same applies to internal accreditation decisions by system-accredited institutions regarding joint degree programs. Sentence 4 stipulates that, in the case of accreditation and reaccreditation, the accreditation period is only 6 years, in accordance with the European approach and in deviation from § 26 (1) and (2), first sentence (cf. C 9 EA). Sentence 5 ensures, in the interest of transparency, that accreditation decisions issued on the basis of the recognition of an evaluation of joint degree programs are identifiable as such upon publication. The same applies, according to sentence 6, to the information on the study program in the degree documents (in particular the Diploma Supplement).

Paragraph 2 extends the scope of application of the criteria and procedural rules of the so-called European Approach, as set forth in §§ 10(1) and (2), 16(1), and § 33(1) to joint degree programs conducted in cooperation with higher education institutions outside the European Higher Education Area, provided that the non-European cooperation partners have committed to applying these principles in a cooperation agreement with the domestic higher education institution.

## **Part 6 – Alternative Accreditation Procedures pursuant to Article 3(1)(3) of the State Treaty on Study Accreditation**

### **Section 34 – Alternative Accreditation Procedures**

Paragraph 1: The provision in § 34 implements the option provided for in Article 4, paragraph 4, in conjunction with Article 3,

1, No. 3 of the State Treaty on Study Program Accreditation, which opens the possibility for alternative accreditation pathways as an alternative to system and program accreditation—pathways that are also subject to the criteria set forth in Article 2.

Paragraph 2 also requires alternative procedures to comply with the formal and substantive criteria set forth in Parts 2 and 3. In addition, the requirements for appropriate academic participation set forth in the State Treaty on Study Program Accreditation—in particular in Article 3(2), first sentence—and in the Model Statutory Ordinance must be observed in accordance with the ESG and the guidelines of the Federal Constitutional Court in its decision of February 17, 2016. If teacher training programs and programs in Protestant or Catholic theology are also included in the alternative procedures, the participation and approval requirements set forth in the Model Statutory Ordinance apply. There is no obligation for higher education institutions to use an agency.

Paragraph 3: If a higher education institution intends to implement an alternative procedure, this requires the prior approval of both the Accreditation Council and the competent state science authority of the respective state. This ensures that the state science authority is involved from the outset and also guarantees compliance with the requirements for regulated professions. The basis for approval is a description of the proposed procedure; to assess its suitability for meeting the quality assurance requirements arising from the State Treaty on Study Program Accreditation and the Model Regulation, the Accreditation Council may consult external experts. The application to be submitted following approval must also be submitted to the Accreditation Council via the competent science authority.

In consultation with the state, the Accreditation Council may only refuse its approval if the alternative procedure cannot ensure compliance with the requirements under Article 2 of the State Treaty on Study Program Accreditation and the principles for the appropriate involvement of the academic community. Furthermore, the alternative procedure should also provide additional insights into quality assurance that go beyond program and system accreditation.

Paragraph 4: The specific details of the procedure are regulated in rules of procedure.

Paragraph 5: The alternative procedure is limited to a maximum of eight years, meaning that shorter durations may also be provided for in these cases. As in the case of system accreditation, the institution of higher education also retains the right, within the framework of the alternative procedure, to award the Accreditation Council's seal to the degree programs it has reviewed. The extension options provided for in § 26, paragraph 3, sentence 3, apply accordingly. Even within the framework of the alternative

procedures, care must be taken to ensure a seamless accreditation chain in the interest of the students.

The Accreditation Council oversees the alternative procedure, which must be evaluated by an independent, academic institution in a timely manner prior to the expiration of the project period as a prerequisite for continuing the procedure.

## **Part 7 – Miscellaneous**

### **§ 35 – Relationship to Procedures Concerning the Suitability of a Degree Program for Professional Licensing Purposes**

Paragraph 1 extends the existing option of linking accreditation procedures with procedures that determine a degree program's eligibility under professional licensing laws, even within the framework of the new accreditation system. The provision is intended as an invitation to the relevant state authorities to use accreditation procedures to assess, in the interest of students, the suitability of a degree program with regard to access to regulated professions. To date, this option has been utilized particularly in the fields of auditing and social work/social pedagogy. In the future, this option could play a role within the framework of the planned academic training for health professions. The combination of these procedures requires a corresponding application from the institution of higher education.

Paragraph 2 clarifies that the external experts to be consulted regarding professional suitability have merely an advisory role and do not influence the accreditation decision. The accreditation decision, on the one hand, and the decision regarding the determination of professional suitability based on professional regulations, on the other hand, are legally separate decisions. The latter is made by a separate notice from the relevant state authority to the institution of higher education.

This provision applies only to models that distinguish between academic study and practical phases (for example, for the purpose of obtaining state recognition). Single-phase models with integrated practical training periods remain unaffected.

### **§ 36 – Evaluation**

Paragraph 1 provides for an evaluation three years after the regulation enters into force to review its application and effects.

Paragraph 2: The results of the evaluation must be submitted to the Conference of Ministers of Education so that appropriate measures can be taken if necessary.

### **§ 37 Entry into Force**

Transitional provisions regarding the expected time gap between the entry into force of the State Treaty on Study Program Accreditation and the state regulations were not adopted, as the retroactive entry into force of the state regulations ensures that no accreditation gap will arise. Since, with the decision of the Federal Constitutional Court and the drafting of the State Treaty on Study Program Accreditation, all relevant stakeholders have been sufficiently informed about the transition of the accreditation system, such retroactive entry into force is legally permissible.

Furthermore, for program or system accreditation procedures that had already begun prior to the effective date of the State Treaty on Study Program Accreditation, the previous regulations—including those regarding the validity period of accreditation—apply to the conclusion of such procedures pursuant to Article 16(1) of the State Treaty on Study Program Accreditation. For reaccreditation procedures, provided that the agreement was not concluded prior to the entry into force of the State Treaty, only the provisions of this regulation apply. This applies in particular to issues regarding the extension of accreditation, the obligation to notify changes, and the application requirements for reaccreditation. This means that proof of an interim evaluation is no longer required for an application for system reaccreditation.