



KULTUSMINISTER KONFERENZ

**Specimen decree pursuant to Article 4, paragraphs 1 – 4
of the interstate study accreditation treaty**

**(Resolution of the Standing Conference of the Ministers of Education and
Cultural Affairs of 21 November 2024)**

Part 1 General regulations

§ 1 Scope

(1) This decree regulates, on the basis of Article 4 of the interstate treaty on the organization of a joint accreditation system to ensure the quality of teaching and learning at German higher education institutions (interstate study accreditation treaty; GVBl. (law and ordinance gazette)) the details of the formal criteria pursuant to Article 2 paragraph 2, of the academic criteria pursuant to Article 2 paragraph 3 as well as of the procedure pursuant to Article 3 of the interstate study accreditation treaty.

(2) ¹Provided no specific provisions have been agreed in this decree, the following provisions of the programme accreditation also apply for training courses at state and state-recognised colleges of cooperative education that lead to the qualification designation “Bachelor”. ²A Bachelor’s degree that has been accredited on the basis of this (specimen) decree is equivalent, according to higher education law, to the Bachelor’s degree from a higher education institution.

§ 2 Forms of accreditation

The forms of accreditation are the procedures pursuant to Article 3 paragraph 1 number 1 of the interstate study accreditation treaty (system accreditation), pursuant to Article 3 paragraph 1 number 2 (programme accreditation) or alternative accreditation procedures pursuant to Article 3 paragraph 1 number 3.

Part 2 Formal criteria for study programmes

§ 3 Programme structure and duration, recognition

(1) ¹In the system of two-cycle study programmes, the Bachelor’s degree is the first standard professional qualification in a study programme at a higher education institution; the Master’s degree is another professional qualification at a higher education level. ²Undergraduate study programmes that lead directly to a Master’s degree, with the exception of those study programmes named in paragraph 3, are excluded.

(2) ¹The standard periods of study for a full-time study programme are six, seven or eight semesters for Bachelor’s study programmes and four, three or two semesters for Master’s study programmes. ²In the Bachelor’s study programme, the standard period of study for a full-time study programme is at least three years. ³With consecutive study programmes, the total standard period of study for a full-time study programme is five years (ten semesters). ⁴Wherever

stipulated by state legislation, shorter and longer standard periods of study are possible in exceptional cases if the study programme is organised accordingly to allow the student an individual learning biography, in particular through part-time, distance and extra-occupational study programmes or dual study programmes as well as practical semesters. ⁵By way of derogation from sentence 3, consecutive Bachelor's and Master's study programmes with a total standard period of study of six years can also be established in the core artistic subjects at colleges of art and music subject to the provisions of the relevant state legislation.

(3) Study programmes in theology that qualify students for the office of pastor, priest or the profession of lay pastor ("full-time theology course") do not have to be two-cycle and may have a standard period of study of ten semesters.

(4) The higher education institution implements the national and state regulations on the recognition of competences, qualifications and achievements acquired at a higher education institution, as well as on the recognition of prior learning.

§ 4 Profiles for study programmes

(1) ¹A differentiation can be made between "application-oriented" and "research-oriented" Master's study programmes. ²Master's study programmes at colleges of art and music may have a specifically artistic profile. ³Master's study programmes that teach the educational requirements for a teacher training qualification have a particular teacher training-related profile. ⁴If the higher education institution defines a profile, this must be ascertained in the accreditation procedure.

(2) ¹When establishing a Master's study programme, it has to be determined whether this is consecutive or provides further education. ²Master's study programmes providing further education correspond to consecutive Master's study programmes with respect to the requirements on the standard period of study and final thesis, and lead to the same degree level and the same rights.

(3) Bachelor's and Master's study programmes stipulate a final thesis to prove the ability to deal with a problem from the respective subject independently by means of scientific or artistic methods within a set period of time.

§ 5 Admission requirements and transitions between different courses

(1) ¹A first professional qualification at a higher education level is the admission requirement for a Master's study programme. ²With Master's study programmes providing further education and those of an artistic nature, the professional

qualification at a higher education level can be replaced by an entrance examination, wherever stipulated by state legislation. ³At least one year of qualified practical professional experience is prerequisite for further education Master's study programmes; deviations from this rule are possible in substantiated exceptional cases concerning individual students.

(2) ¹Proof of the relevant artistic aptitude must be provided as an admission requirement for artistic Master's study programmes. ²On admission to artistic Master's study programmes providing further education, professional activities that were completed during the study programme can also be taken into account if allowed by state legislation. ³The requirement of professional experience does not apply to colleges of art for study programmes that serve to consolidate fine arts skills, wherever stipulated by state legislation.

(3) Further requirements for admission to Master's study programmes can be stipulated according to state legislation.

§ 6 Qualifications and qualification designations

(1) ¹On successful completion of a Bachelor's or Master's study programme, only one degree, the Bachelor's or Master's degree, will be awarded, unless this is a multiple-degree qualification. ²No differentiation is made between the degrees based on the duration of the standard period of study.

(2) ¹The following designations 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 linguistics and cultural studies, sport, sport science, social sciences, science of art, performing arts and, with a corresponding content focus, in the subject groups economic sciences as well as in applied arts study programmes,
2. Bachelor of Science (B.Sc.) and Master of Science (M.Sc.) in the subject groups mathematics, natural sciences, medicine, agricultural, forestry and food sciences, in the subject groups engineering sciences and economic sciences with a corresponding content focus,
3. Bachelor of Engineering (B.Eng.) and Master of Engineering (M.Eng.) in the subject group engineering sciences with a corresponding content focus,
4. Bachelor of Laws (LL.B.) and Master of Laws (LL.M.) in the subject group law,

5. Bachelor of Fine Arts (B.F.A.) and Master of Fine Arts (M.F.A.) in the subject group fine art,
6. Bachelor of Music (B.Mus.) and Master of Music (M.Mus.) in the subject group music,
7. ¹Bachelor of Education (B.Ed.) and Master of Education (M.Ed.) for study programmes that teach the educational requirements for a teacher training qualification. ² According to the content focus of the study programmes a designation according to numbers 1 to 7 can be stipulated for a polyvalent study programme.

²Subject additions to the qualification designations and mixed-language qualification designations are excluded. ³Bachelor degrees with the supplement “honours” (“B.A. hon.”) are excluded. ⁴In the case of interdisciplinary and combined study programmes, the qualification designation depends on the most important subject area of the study programme. ⁵Master’s degrees that differ from the designations shown above may be used for further education study programmes. ⁶Different designations may also be used for study programmes in theology that qualify students for the office of pastor, priest or the profession of lay pastor (“full-time theology course”).

(3) The qualification documents may point out at a suitable point that the degree level of a Bachelor’s degree corresponds to a Diploma qualification at universities of applied science and/or that the degree level of a Master’s degree corresponds to a Diploma qualification at universities or equivalent higher education institutions.

(4) The Diploma Supplement, which is an integral part of every degree certificate, provides information on the study programme on which the qualification is based.

§ 7 Modularisation

(1) ¹The study programmes are to be structured in study units (modules) that compile intended learning outcomes and programme contents thematically and chronologically. ²The intended learning outcomes and programme content of a module are to be calculated in such a way that they can usually be taught within a maximum of two consecutive semesters; in duly substantiated exceptional cases, a module may also extend beyond two semesters. ³At least two modules are compulsory for the artistic core subject in the Bachelor’s study programme; these may account for around two thirds of the work time.

(2) The module description should contain at least the following:

1. Intended learning outcomes and content of the module,
2. Forms of teaching and learning,
3. Requirements for participation,
4. Requirements on the award of ECTS credit points pursuant to the European Credit Transfer System (ECTS credit points),
5. ECTS credit points and grading,
6. Frequency with which the module is offered,
7. Workload involved, and
8. Duration of the module.

(3) ¹The requirements for participation must include the knowledge, abilities and skills for a successful participation and information on suitable preparation by the students. ²Under the requirements for the award of ECTS credit points it should be specified how a module can be completed successfully (type, scope and duration of the examination).

§ 8 Credit points system

(1) ¹Each module shall be assigned a certain number of ECTS credit points depending on the amount of work involved for the students. ²30 credit points should usually be taken as a basis in each semester. ³One credit point corresponds to an overall performance by the student in class time and self-study of 25 to a maximum of 30 hours. ⁴ECTS credit points shall be awarded for a module if the achievements stipulated in the examination regulations are proven. ⁵ECTS credit points are not necessarily awarded on the basis of an examination but for successful completion of the respective module.

(2) ¹No fewer than 180 ECTS credit points must be proven for the Bachelor's degree. ²300 ECTS credit points are needed for the Master's degree, including the previous study programme up to the first professional qualification. ³Deviations from this rule are possible in individual cases with an appropriate qualification of the student, even if 300 ECTS credit points are not reached at the end of a Master's study programme. ⁴In the case of consecutive Bachelor's and Master's study programmes in the core artistic subjects at colleges of art and music with a total standard period of study of six years, the Master's level is reached with 360 ECTS credit points.

(3) ¹The workload is 6 to 12 ECTS credit points for the Bachelor's thesis and 15 to 30 ECTS credit points for the Master's thesis. ²In study programmes in fine arts, the scope of work can be up to 20 ECTS credit points for the Bachelor's thesis and up to 40 ECTS credit points for the Master's thesis in duly substantiated exceptional cases.

(4) ¹In duly substantiated exceptional cases, up to 75 ECTS credit points can be taken as a basis of each academic year for study programmes with special study-related organisational measures. ²The workload for one ECTS credit point is hereby calculated with 30 hours. ³Special study-related organisational measures may relate in particular to the learning environment and support, the structure of higher education studies, the planning of courses and livelihood measures.

(5) In the case of teacher training programmes for primary schools or at primary level, for overarching teaching professions at primary level and at all or individual types of schools at secondary level, for teaching professions at all or individual types of schools at lower secondary level as well as for special needs teaching professions, a Master's degree can be awarded if a total of 300 ECTS credit points will be reached including the preparatory service, following at least 240 ECTS credit points awarded by the higher education institution.

(6) ¹180 ECTS credit points usually have to be proven for a Bachelor's degree at colleges of cooperative education with training that lasts for three years. ²The theory-based elements of training may not be below 120 ECTS credit points, the practical elements of training not below 30 ECTS credit points.

§ 9 Special criteria for cooperations with non-university institutions

(1) ¹The scope and type of existing cooperations with companies and other institutions, including non-university places of learning and study programme shares as well as the language(s) of instruction, are contractually regulated, and described on the website of the higher education institution. ²When applying models of recognition of prior learning within the scope of cooperation related to the study programme, the equality of content of non-university qualifications that are to be recognised and their equivalence according to the envisaged qualification level must be explained plausibly.

(2) In the case of a cooperation with a non-university institution that is related to a study programme, the added value for the future student and the higher education institution awarding the degree must be explained plausibly.

§ 10 Special regulations for joint programmes

(1) ¹A joint programme is either a Bachelor's or a Master's study programme that is coordinated and offered by a domestic higher education institution together with one or more higher education institutions from a foreign state or states in the European Higher Education Area that leads to a joint or double degree or to multiple degrees, and that has the following characteristics:

1. An integrated curriculum,
2. Usually at least 25 percent of the study programme completed at one or more foreign higher education institutions,
3. Contractually governed cooperation,
4. Coordinated admissions and examination system, and
5. Joint quality assurance.

²§§ 10, 16 and 33 apply to these study programmes. ³The implementation of the criteria indicated in paragraph 1 numbers 1 to 5 is subject of review.

(2) ¹Qualifications and periods of study will be recognised in accordance with the law from 11 April 1997 on the Convention on the Recognition of Qualifications concerning Higher Education in the European Region from 16 May 2007 (BGBl. (German Federal Law Gazette) 2007 II p. 712, 713) (Lisbon Recognition Convention). ²The ECTS is applied pursuant to §§ 7 and 8 paragraph 1 and the distribution of credit points is regulated. ³Between 180 and 240 credit points have to be evidenced for the Bachelor's degree and no fewer than 60 credit points for the Master's degree. ⁴The main information for students has been published and can be accessed by them at all times. ⁵The remaining provisions of Part 2 shall not apply.

(3) If a joint programme is coordinated and offered by a domestic higher education institution together with one or more higher education institutions in foreign states that do not belong to the European Higher Education Area (non-European cooperation partner), paragraphs 1 and 2 shall apply accordingly at the request of the domestic higher education institution if the non-European cooperation partners commit themselves to an accreditation using the criteria and rules of procedure regulated in paragraphs 1 and 2 as well as in § 16 paragraph 1 and § 33 paragraph 1 in the cooperation agreement with the domestic higher education institution.

Part 3 Academic criteria for study programmes and quality management systems

§ 11 Qualification goals and qualification level

(1) ¹The qualification goals and the intended learning outcomes are clearly formulated and publicly available and comprehensibly take account of the goals of higher education named in Article 2 paragraph 3 number 1 of the study accreditation treaty. ²The dimension of personality development also covers the future civic, political and cultural role of the graduates in society. ³Following graduation, students should be able to play a critical and reflective role in shaping social processes with a sense of responsibility and a democratic public spirit.

(2) The professional and scientific/artistic requirements comprise the aspects knowledge and understanding (extension, consolidation and understanding of knowledge), use, application and generation of knowledge/art (use and transfer, scientific innovation), communication and cooperation as well as scientific/artistic self-concept/professionalism and are consistent with a view to the degree level that is taught.

(3) ¹Bachelor's study programmes serve to teach scientific foundations, methodological skills and qualifications related to the specific field of professional activity, ensuring a broad scientific or artistic qualification. ²Consecutive Master's study programmes aim to consolidate or broaden knowledge, are multidisciplinary or cover a different subject. ³Master's study programmes providing further education usually assume qualified professional experience of no less than one year. ⁴The concept for Master's study programmes providing further education takes professional experience into account and builds on it to achieve the qualification goals. ⁵In the concept the higher education institution clearly explains the connection between the professional qualification and the study programme as well as the equivalence of the requirements with those for consecutive Master's study programmes. ⁶Artistic study programmes promote artistic design skills and develop these further.

§ 12 Coherent study programme concept and adequate implementation

(1) ¹The curriculum is adequately structured in consideration of the stipulated entry qualification and in view of the ability to achieve the qualification goals. ²The qualification goals, the name of the study programme, degree level and designation as well as the module concept are coherently interrelated. ³The programme concept covers a variety of different forms of teaching, learning and examination, as well as practical parts where appropriate, that are adapted to

the respective area of study and the study programme format. ⁴It creates a suitable framework to encourage student mobility, allowing students to attend other higher education institutions without losing time. ⁵It actively involves students in organising teaching and learning processes (student-based teaching and learning) and creates freedom for a self-organised study programme. ⁶The study programme, course of study, examination requirements, module descriptions and admission requirements, including arrangements for compensation for disadvantages of students with disabilities or chronic illnesses, are documented and have been published.

(2) ¹The curriculum is implemented by sufficient teaching staff with appropriate specialist and methodical-didactic qualifications. ²The combination of research and teaching is guaranteed in accordance with the profile of the type of higher education institution in particular through professors (main job) in both undergraduate and graduate study programmes. ³The higher education institution takes appropriate measures to select and qualify its staff.

(3) In addition, the study programme has suitable resources and equipment (in particular non-academic staff, rooms and material resources, including IT infrastructure, teaching and learning aids).

(4) ¹Examinations and types of examinations allow for a substantiated validation of the learning results that have been achieved. ²They are module-related and competence-oriented.

(5) ¹The feasibility of completing the study programme within the standard period of study is guaranteed. ²This covers in particular

1. A predictable and reliable implementation of the study programme,
2. Avoidance of overlaps of courses and examinations,
3. A plausible average workload that is appropriate for the examination load, with the learning results for a module being calculated in such a way that they can normally be achieved within one semester or one year, to be validated in regular surveys, and
4. An adequate and workload-appropriate examination frequency and organisation, which is adequately justified in an examination concept, as well as regularly assessed in terms of the appropriateness of the workload with involvement of students as part of the further development of the study programme within the meaning of § 14; modules shall have a scope of at least five ECTS credit points.

(6) Study programmes with a particular profile requirement have a self-contained programme concept that takes the particular characteristics of the profile into due account.

(7) A study programme may be called and advertised as “dual” if the places of learning (at least higher education institution or college of cooperative education and a company) are systematically geared to each other in terms of content, and organisation and on contract-level.

§ 13 Subject-content organisation of the study programmes

(1) ¹The up-to-dateness and adequacy of the subject-related and scientific requirements are guaranteed. ²The subject-content design and the methodical-didactic approaches taken by the curriculum are checked continuously and adapted to further professional and didactic developments. ³To this end, the professional discourse on a national and if necessary international level is taken into account systematically.

(2) In study programmes that teach the educational requirements for a teacher training qualification, the basis for the accreditation are both the assessment of the educational sciences and the respective disciplines as well as their didactics according to professional requirements that apply to all states as well as those that are state-specific, and the structural specifications for teacher training that apply to all states as well as those that are state-specific.

(3) ¹Within the scope of the accreditation of teacher training programmes it has to be assessed whether

1. It is an integrative study programme at universities or equivalent higher education institutions comprising at least two specialist sciences and educational sciences in the Bachelor's phase as well as the Master's phase (exceptions are allowed in the subjects art and music),
2. Practical experience at schools is obtained during the Bachelor study programme, and
3. A differentiation is made in the study programme and the qualifications according to teaching posts.

²Exceptions to clause 1 numbers 1 and 2 are permitted for programmes training teachers for vocational schools and for Master's study programmes aimed at career changers.

§ 14 Academic success

¹The study programme is subject to continuous monitoring that also involves students and graduates. ²Measures to ensure the academic success are derived on the basis of this monitoring. ³These are under constant review and the results are used for the further development of the study programme. ⁴The involved persons are informed of the results and any measures taken, in consideration of data protection issues.

§ 15 Diversity, gender equality and compensation of disadvantages

The higher education institution has concepts in place to promote diversity and gender equality and to encourage equal opportunities for students in special circumstances; these concepts are implemented on the level of the study programme.

§ 16 Special regulations for joint programmes

(1) ¹The regulations in § 11 paragraphs 1 and 2 as well as § 12 paragraph 1 clauses 1 to 3, paragraph 2 clause 1, paragraphs 3 and 4 as well as § 14 apply accordingly to joint programmes. ²The remaining provisions of Part 3 shall not apply. ³The following also applies:

1. The admission requirements and selection procedures are commensurate with the level and the specialist discipline of the study programme.
2. It can be proven that the intended learning outcomes can be achieved with the study programme.
3. Wherever pertinent, the stipulations of Directive 2005/36/EC from 7 September 2005 ([ABI. L 255 from 30.9.2005, p. 22-142](#)) on the Recognition of Professional Qualifications, last amended by Directive 2013/55/EU from 17 January 2014 ([ABI. L 354 from 28.12.2013, p. 132-170](#)) must be taken into account.
4. The diversity of the students and their needs, as well as the specific requirements of mobile students are respected in the support, the organisation of the study programme and the forms of teaching and learning employed.
5. The quality management system of the institution of higher education guarantees the implementation of the foregoing stipulations and those named in § 17.

(2) If a joint programme is coordinated and offered by a domestic higher education institution together with one or more higher education institutions in foreign states that do not belong to the European Higher Education Area (non-European cooperation partner), paragraph 1 shall apply accordingly at the

request of the domestic higher education institution if the non-European cooperation partners commit themselves to an accreditation using the criteria and rules of procedure regulated in paragraph 1 as well as in § 10 paragraphs 1 and 2 and § 33 paragraph 1 in the cooperation agreement with the domestic institution of higher education.

§ 17 Quality management concept of system-accredited higher education institutions (goals, processes, instruments)

(1)¹The higher education institution has determined a set of central educational objectives for teaching, which are reflected in the institution's mission statement and in the curricula of the study programmes. ²The quality management system follows the values and standards of the central educational objectives for teaching and aims to continuously improve the quality of studies. ³It guarantees the systematic implementation of the stipulations named in Part 2 and 3. ⁴The higher education institution has specified decision-making processes, responsibilities and accountabilities for the establishment, verification, further development and discontinuation of study programmes and the higher education institution's own procedures to accredit study programmes within the scope of its quality management system and has published these throughout the higher education institution. ⁵The higher education institution determines validity periods and deadlines in line with § 26 and § 27. ⁶The higher education institution may specify shorter validity periods and deadlines. ⁷If a quality management system provides for the formation of clusters, § 30 paragraph 1 shall apply accordingly with regard to such clusters.

(2) ¹The quality management system was drawn up with participation of the member groups of the higher education institution and with the involvement of external expertise. ²It ensures the independence of quality assessments and contains procedures on dealing with internal conflicts as well as an internal complaints system. ³It is based on closed loops, covers all areas of the higher education institution that are directly relevant for teaching and learning and has appropriate and sustainable resources and equipment. ⁴The functionality and efficacy with respect to the quality of study programmes will be checked on a regular basis by the higher education institution and continuously developed.

§ 18 Measures for implementing the quality management concept of system-accredited higher education institutions

(1) ¹The quality management system includes regular assessments of the study programmes and those areas relevant for teaching and learning by students from inside and from outside the higher education institution, academic experts from outside the higher education institution, representatives from professional practice and graduates; the higher education institution may assess the formal criteria itself. ²If a need for action is discovered, the appropriate measures will be taken and implemented.

(2) If assessments of teacher training programmes, teacher training programmes with the combination subject Protestant or Catholic theology/religion, Protestant-theological study programmes as a qualification for the office of pastor, and other Bachelor's and Master's study programmes with the combination subject Protestant or Catholic theology are carried out on the basis of the higher education institution's quality management system, the cooperation and approval requirements apply accordingly pursuant to § 25 paragraph 1 clauses 3 to 5.

(3) The data necessary for the implementation of the quality management system is collected regularly throughout the entire higher education institution.

(4) ¹The higher education institution documents the assessment of the study programmes through its internal quality management system including the votes of the external parties involved and any measures taken and informs members of the higher education institution, the maintaining bodies and its home state about this. ²In order to inform the public, the higher education institution makes the accreditation decisions available to the Accreditation Council for publication, along with a brief summary of the quality assessment. ³§ 29 clause 2 applies accordingly.

§ 19 Cooperations with non-university institutions

¹If a higher education institution offers a study programme in cooperation with a non-university institution, the higher education institution is responsible for complying with the stipulations pursuant to Parts 2 and 3. ²The higher education institution awarding the degree may not delegate any decisions on the content and organisation of the curriculum, on admissions, recognition and crediting, on the questions for and assessment of examination performances, on the management of examination and student data, on the quality assurance procedures as well as on criteria and procedures to select the teaching staff.

§ 20 Cooperations between higher education institutions

(1) ¹If a higher education institution cooperates with another higher education institution with respect to a study programme, the higher education institution(s) awarding the degree guarantee(s) the implementation and quality of the study programme concept. ²The type and scope of the cooperation are to be described and the agreements on which the cooperation is based are to be documented.

(2) ¹If a system-accredited higher education institution cooperates with another higher education institution with respect to a study programme, the system-accredited higher education institution can award the study programme the seal of the Accreditation Council pursuant to § 22 paragraph 4 clause 2, provided it awards a degree itself and guarantees the implementation and quality of the programme concept. ²Paragraph 1 clause 2 applies accordingly.

(3) ¹In the event of a cooperation between higher education institutions on the level of their quality management systems, a system-accreditation is needed for each of the higher education institutions involved. ²A joint procedure for the system accreditation is allowed at the request of the cooperating higher education institutions.

§ 21 Special criteria for Bachelor training courses at colleges of cooperative education

(1) ¹The teaching staff (main job) at colleges of cooperative education must fulfil the requirements for appointment for professors at universities of applied science pursuant to § 44 of the German Framework Act for Higher Education in the version of the announcement on 19 January 1999 (BGBl. I p. 18), as amended by Article 1 of the Act from 15 November 2019 (BGBl. I p. 1622). ²If courses serve mainly to teach practical skills and knowledge for which the requirements for appointment for professors at universities of applied science are not necessary, these can be assigned to teachers (main job) for special tasks pursuant to § 56 German Framework Act for Higher Education and pertinent state law. ³The share of teaching carried out by teachers (main job) shall not be below 40 percent. ⁴In exceptional cases this also includes professors at universities of applied sciences or universities who teach part-time at a college of cooperative education, if continuity in the course and the consistency of the overall training as well as the obligatory support and counselling for the students can be guaranteed by them; the fulfilment of these requirements shall be determined separately during the accreditation of the individual study programme.

(2) ¹Paragraph 1, clause 1 applies accordingly for part-time teaching staff who offer theory-based courses that lead to ECTS credit points or who cooperate as examiners in the issue and assessment of the Bachelor's thesis. ²Courses within the meaning of clause 1 can also be offered in exceptional cases by part-time teaching staff with a relevant professional qualification at a higher education level or an equivalent qualification as well as subject-related and didactic skills and several years of professional experience in the pertinent subject according to the course requirements.

(3) The following must also be assessed within the scope of the accreditation:

1. The cooperation between the different places of learning (college and company),
2. The safeguarding of quality and continuity in the course as well as in support and counselling for students in view of the specific staff structure at colleges of cooperative education, and
3. The existence of a sustainable quality management system covering the various places of learning.

Part 4 Rules of procedure for programme and system accreditation

§ 22 Decision of the Accreditation Council; award of the seal of the Accreditation Council

(1) ¹On application by the higher education institution the Accreditation Council decides on the accreditation by determination of compliance with the formal criteria and the academic criteria pursuant to Article 3 paragraph 5 clause 1 of the study accreditation treaty in conjunction with Part 2 and Part 3 of this decree.

²The basis for the decision on the formal criteria is a formal report pursuant to Article 4 paragraph 3 clause 1, number 2 lit. b of the study accreditation treaty.

³The basis for the decision on the academic criteria is a review report pursuant to Article 3 paragraph 2 clause 1, number 4 of the study accreditation treaty.

(2) ¹The administrative decision takes the form of an electronic notice. ²The decision must be substantiated.

(3) ¹If the Accreditation Council intends to diverge greatly from the recommendation of the review panel, the higher education institution is given the opportunity to submit a statement before the Accreditation Council reaches its decision. ²The deadline for the submission of this statement is one month.

(4) ¹The Accreditation Council awards its seal to the study programme or the quality management system through the accreditation. ²In the case of a system accreditation, the higher education institution is entitled to award itself the Accreditation Council's seal for its self-assessed study programmes.

(5) ¹The accreditation of Catholic-theological study programmes that qualify students for the office of priest and the profession of lay pastor ("full-time theology course") takes place exclusively as a programme accreditation. ²The decision of the Accreditation Council requires the approval of the relevant church offices for full-time and part-time study programmes in theology.

§ 23 Documents to be submitted

(1) The following documents must be enclosed with the application:

1. Self-evaluation report from the higher education institution,
2. An accreditation report from an agency authorised by the Accreditation Council, consisting of a formal report and a review report; in the case of a system accreditation the formal report relates to the proofs pursuant to numbers 3 and 4,
3. If system accreditation is applied for, additional proof that at least one study programme has passed through the quality management system,
4. If system reaccreditation is applied for, proof that all Bachelor's and Master's study programmes have passed through the quality management system at least once.

(2) If the documents pursuant to paragraph 1 number 2 have not been drawn up in German, translations into German must be submitted.

(3) As soon as the Accreditation Council provides an electronic data processing system, this must be used.

§ 24 Commissioning an agency; accreditation report; site-visit(1)

¹The higher education institution commissions an agency authorised by the Accreditation Council pursuant to Article 5 paragraph 3 clause 1 number 5 of the study accreditation treaty to assess the formal and academic criteria and to prepare an accreditation report. ²For Catholic-theological study programmes that qualify students for the office of priest and the profession of lay pastor ("full-time theology course"), the assessment is carried out by the Agency for Quality Assurance and Accreditation of Canonical Study Programmes in Germany (AKAST), which is authorised by the Accreditation Council.

(2) ¹The higher education institution provides the agency with a self-evaluation report that contains the minimum details of the quality goals of the higher education institution and of the formal and academic criteria pursuant to Part 2 and Part 3. ²The self-evaluation report from the higher education institution, in whose preparation the student representatives must be involved, should not exceed 20 pages for programme accreditation or 50 pages for system and cluster accreditation.

(3) ¹The formal report shall be drawn up by the agency; in the case of study programmes pursuant to § 25 paragraph 1 clauses 3 and 4, the formal report shall only be passed on to the Accreditation Council following approval from the respective individuals named therein. ²The decisive standards for the formal report are the formal criteria pursuant to Part 2. ³It includes a suggestion regarding determination of compliance with the formal criteria. ⁴The formal report is to be prepared in the structure specified by the Accreditation Council. ⁵The higher education institution shall be informed immediately in the event of non-compliance with a formal criterion.

(4) ¹The report shall be submitted by the review panel pursuant to § 25. ²The review panel receives the formal report pursuant to paragraph 3. ³Decisive standards for the report are the academic criteria pursuant to Part 3. ⁴The report shall include a suggestion regarding determination of compliance with the academic criteria. ⁵The report is to be prepared in the structure specified by the Accreditation Council and should not exceed 20 pages for programme accreditation or 100 pages for system and cluster accreditation.

(5) ¹Within the scope of the assessment of the academic criteria, a site visit is carried out by the review panel, which is usually an in-person site visit. ²During the accreditation of a study programme that is not yet offered at the time the agency is commissioned (concept accreditation), the review panel can unanimously agree to waive an in-person site visit. ³The same applies when reaccrediting a study programme.

(6) If the report contains any proposals for required conditions, the higher education institution and the agency may agree on an additional procedural step in order to resolve any shortcomings before the application is submitted to the Accreditation Council.

§ 25 Composition of the review panel; requirements on the review panel

(1) ¹The agencies' review panel shall comprise at least four persons for a programme accreditation. ²It is made up as follows:

1. At least two subject-related professors,
2. One subject-related representative with professional experience,
3. One subject-related student.

³In case of the accreditation of study programmes that teach the proficiency for admittance to the preparatory service for a teacher training qualification, a representative of the highest state authority responsible for the school system replaces the person named in number 2; in the case of teacher training programmes with the combination subject Protestant or Catholic theology/religion, the review panel is also joined by a representative of the locally responsible diocese or regional church (Landeskirche). ⁴In case of the accreditation of study programmes in theology that qualify students for the office of pastor, priest or the profession of lay pastor ("full-time theology course") and in all other Bachelor's or Master's study programmes with the combination subject Protestant or Catholic theology/religion, a representative of the relevant church office replaces the person named in number 2. ⁵For those study programmes named in clauses 3 and 4, the submission of the review report pursuant to § 24 paragraph 4 clause 1 requires the approval of the persons named in each case; the review report will not be submitted to the Accreditation Council without this approval.

(2) ¹The agencies' review panel shall comprise at least five persons for a system accreditation. ²It is made up as follows:

1. At least three professors with relevant experience in quality assurance of teaching and learning,
2. One representative with professional experience,
3. One student.

(3) ¹The professors shall have the majority of votes. ²The majority of experts in the respective review panel must have experience in accreditation. ³In the case of a system accreditation, the majority of experts must have experience in system accreditation.

(4) ¹The experts are appointed by the agency commissioned to prepare the accreditation report. ²The agency is bound by the procedure to be developed by the German Rectors' Conference pursuant to Article 3 paragraph 3 clause 3 of the study accreditation treaty for the appointment.

(5) The following persons are excluded as experts:

1. Anyone working or enrolled at the higher education institution applying for accreditation,
2. Anyone working or enrolled at one of the higher education institutions involved in the study programme in the case of cooperative study programmes or joint programmes, and
3. Anyone who is considered to be prejudiced according to the standard rules that apply in academia.

(6) ¹The agency informs the higher education institution of the composition of the review panel before appointing the experts. ²The higher education institution is entitled to comment on this within a period of two weeks.

§ 26 Period of validity for the accreditation; extension

(1) ¹The initial accreditation is valid for a period of eight years from the beginning of the semester or trimester in which the accreditation decision is announced. ²If a study programme has not yet started in the case of a programme accreditation, the accreditation becomes effective as of the beginning of the semester or trimester in which the study programme is offered for the first time, though at the latest at the beginning of the second semester or trimester following the announcement of the accreditation decision.

(2) ¹Renewal of accreditation (reaccreditation) must be applied for before expiry of the accreditation term, and shall seamlessly follow the previous accreditation, if reaccreditation is granted. ²If the corresponding application is submitted in time, the accreditation term shall be extended for the duration of the administrative procedure. ³Reaccreditation shall take effect no later than at the start of the second semester or term following announcement of the accreditation decision. ⁴Reaccreditations are valid for a period of eight years.

(3) ¹The accreditation term may be extended by up to two years in total if

1. In case of programme accreditation, the higher education institution prepares an application for cluster or system accreditation that includes the respective study programme, or

2. The higher education institution applies for a deadline extension in justified exceptional cases that are wholly or partly beyond the institution's control; where such extraordinary deadline extension is granted in an individual case, it is credited to the next accreditation term.

²When applying for a system accreditation, the accreditation term of study programmes whose accreditation comes to an end during the procedure can be extended for the period of the procedure plus one year. ³If an accredited study programme is not continued, the accreditation term can be extended for students who are still enrolled on expiry of the period of validity.

§ 27 Conditions

- (1) A deadline of twelve months should usually be set to fulfil a condition.
- (2) The deadline can be extended at the request of the higher education institution in justified exceptional cases.
- (3) The fulfilment of the condition must be proven to the Accreditation Council.

§ 28 Duty of disclosure of any changes

- (1) The higher education institution is obliged to inform the Accreditation Council immediately of any substantial changes to the subject of the accreditation during the accreditation's period of validity.
- (2) The Accreditation Council shall decide whether the essential change is covered by the existing accreditation.

§ 29 Publication

¹The decision of the Accreditation Council and the accreditation report are published on a website by the Accreditation Council. ²No personal data may be disclosed in the publication unless the affected person (data subject) has given their consent or unless obtaining the consent of the affected person is impossible or would entail a disproportionate amount of time and effort, and it is obvious that the disclosure is in the interests of the affected person.

§ 30 Cluster accreditation; partial system accreditation

- (1) ¹The report of the review panel pursuant to § 24 paragraph 4 may cover several study programmes if these have a high affinity on subject level that goes beyond the mere affiliation to a disciplinary culture (humanities and cultural studies, social sciences or natural sciences) (cluster accreditation). ²The academic criteria pursuant to Part 3 shall be checked separately for each study programme. ³A cluster shall be made up of no more than ten study programmes.

(2) ¹Clusters of more than four study programmes require the approval of the Accreditation Council prior to submission of the application. ²This applies to combined study programmes regardless of the size of the cluster.

(3) ¹In exceptional cases, a study-related entity of the higher education institution can be the subject matter of the system accreditation. ²This may be the case in particular if

1. The accreditation of the quality management system is not yet sensible or practical for the overall higher education institution,
2. The quality management system of the entity is integrated in the higher education institution, and
3. At least one study programme in the entity has already passed through this system.

§ 31 Random samples

(1) ¹During the system accreditation and partial system accreditation, random sampling is carried out by the review panel pursuant to § 25 paragraph 2. ²During random sampling, it is checked whether the effects intended by the quality management system under assessment occur on the level of the study programme.

(2) ¹The subject matter of the random sampling is

1. The consideration of all criteria pursuant to Part 2 and Part 3 within a study programme that has passed through the higher education institution's quality management system, and
2. The consideration of formal and academic criteria pursuant to Part 2 and Part 3 in accordance with the review panel.

²When choosing random samples, the review panel takes into account the spectrum of subjects taught at the higher education institution.

(3) ¹If the higher education institution offers study programmes that also prepare students for a regulated profession, one of these must also be included in the random sample, taking into account the criteria pursuant to Part 2 and 3, which relate to study programmes; the same applies in the case of teacher training programmes for one study programme each from each type of teacher training qualification offered as well as for study programmes with Protestant or Catholic theology/religion. ²A representative appointed by the office responsible for each regulated profession, or a representative of the highest state authority

responsible for the school system or the respective church authority shall take part in the random sampling.

Part 5 Rules of procedure for special types of study programmes

§ 32 Combined study programmes

(1) If students choose individual subjects from a large number of subjects approved for the study programme, each of these subjects is a partial study programme as part of a combined study programme.

(2) ¹The subject of the accreditation is the combined study programme. ²The higher education institutions shall ensure academic feasibility according to § 12 paragraph 5 for all possible combinations of subjects through their own quality management system.

(3) ¹The accreditation of a combined study programme can be supplemented by the addition of further eligible partial study programmes or subjects. ²The accreditation term for the combined study programme is not changed by this.

(4) ¹All of the partial study programmes or subjects included in the accreditation are listed on the accreditation certificate. ²In the case of an addition to the accreditation pursuant to paragraph 3, a new accreditation certificate shall be issued.

(5) As for the rest, the regulations of Part 4 remain unaffected.

§ 33 Joint programmes

(1) ¹For joint programmes involving a domestic higher education institution and further higher education institutions from the European Higher Education Area, the accreditation decision can be taken, by way of derogation from § 22 paragraph 1, through a recognition of the assessment by an agency listed in the European Quality Assurance Register for Higher Education (EQAR). ²The Accreditation Council recognises this assessment on application by the higher education institution and awards its seal if compliance with the formal and academic criteria for joint programmes pursuant to §§ 10 and 16 of this decree has been proven and the peer-review procedure has satisfied the following requirements:

1. The Accreditation Council was notified of the performance of the procedure before the start of the procedure,
2. The accreditation decision is based on a self-evaluation report of the cooperating higher education institutions that contains, in particular,

information on the respective national frameworks and that emphasises the distinctive features of the joint programme,

3. A site visit has been carried out of at least one location of the study programme involving representatives of all cooperating higher education institutions,
4. The assessment is based on a review report that takes account of the stipulations of joint programmes in Part 2 and Part 3,
5. The peer-review has been carried out by a panel of at least four experts that was made up at least as follows:
 - a. Members from at least two of the countries involved in the joint programme,
 - b. At least one student representative,
 - c. The review panel represents expertise in the corresponding subjects and disciplines, including the labour market/world of work in the relevant fields and expertise in the field of quality assurance in the higher education sector and has knowledge of the higher education systems of the higher education institutions involved as well as the languages of instruction used, and
 - d. The stipulations of § 25 paragraph 3 clause 1, paragraphs 5 and 6 have been observed,
6. The assessment names the following features: substantiation, legal validity and proven fulfilment of conditions, if applicable, and
7. The agency has published at least a summary of the report on its website in English, which includes the assessment and substantiation.

³§ 22 paragraphs 2, 3 and 4 clause 1, § 26 paragraph 1 clause 1 and paragraph 2 clause 1, §§ 28 and 29 apply accordingly. ⁴If the accreditation decision is not made in the sense of clause 1 in deviation from § 22, the provisions of §§ 10 and 16 shall nevertheless apply accordingly to joint programmes within the meaning of § 10 paragraph 1. ⁵The accreditation period shall be six years, in deviation from § 26 paragraph 1 clause 1 and paragraph 2 clause 2. ⁶In the publication, the decision shall be identified as an accreditation decision based on the special procedure for joint programmes. ⁷The higher education institution must make this clear in the degree documents.

(2) If a joint programme is coordinated and offered by a domestic higher education institution together with one or more higher education institutions in foreign states that do not belong to the European Higher Education Area (non-European cooperation partner), paragraph 1 shall apply accordingly at the request of the domestic higher education institution if the non-European cooperation partner commits itself to an accreditation using the criteria regulated in paragraph 1 as well as in § 10 paragraph 1 and paragraph 2 and § 16 paragraph 1 in the cooperation agreement with the domestic higher education institution.

Part 6 Alternative accreditation procedures pursuant to Article 3 paragraph 1 number 3 of the interstate study accreditation treaty

§ 34 Alternative accreditation procedures

(1) Apart from the two procedures regulated in Part 4, alternative procedures can also be applied to ensure and enhance the quality of teaching and learning pursuant to Article 3 paragraph 1 number 3 of the interstate study accreditation treaty.

(2) ¹The criteria pursuant to Part 2 and Part 3 of this decree must be observed in alternative procedures. ²The principles for the appropriate involvement of academia in Article 3 paragraph 2 clause 1 of the interstate study accreditation treaty and in the interstate study accreditation treaty and in this decree apply accordingly; similarly, the cooperation and approval requirements pursuant to § 18 paragraph 2 also apply accordingly.

(3) ¹The performance of alternative procedures requires the prior consent of the Accreditation Council and the responsible scientific authority of the respective state; the Accreditation Council can arrange for an external assessment. ²The application is to be presented to the Accreditation Council through the responsible scientific authority. ³The Accreditation Council can only refuse its consent in consultation with the state if the alternative procedure does not comply with the stipulations of Article 2 and the terms of Article 3 paragraph 2 clause 1 of the interstate study accreditation treaty as well as the principles for the appropriate involvement of academia as set out in the interstate study accreditation treaty and this decree. ⁴The alternative procedure should be suitable to gain fundamental knowledge of alternative approaches to external quality assurance beyond the procedures named in Article 3 paragraph 1 numbers 1 and 2 of the interstate study accreditation treaty.

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

(5) ¹The alternative procedure is limited to a maximum of eight years. ²§ 22 paragraph 4 clause 2 and § 26 paragraph 3 clause 2 apply accordingly. ³The procedure shall be supervised by the Accreditation Council and it is normally evaluated by an independent institution with close ties to science two years before expiry of the project period.

Part 7 Miscellaneous

§ 35 Combination with professional licensing procedures

(1) At the request of the higher education institution accreditation procedures pursuant to Article 3 paragraph 1 number 1 and Article 3 paragraph 1 number 2 of the interstate study accreditation treaty can be combined on an organisational level with professional licensing procedures.

(2) The involvement of external experts with an advisory function in the review panel pursuant to § 25 paragraphs 1 and 2 in addition to the other representatives from professional practice who are to be appointed takes place through a nomination by the relevant state authority responsible for the regulated profession.

§ 36 Evaluation

The decree is reviewed regularly and within a reasonable period of time.

§ 37 Entry into force

Substantiation of the specimen decree

pursuant to Article 4 paragraphs 1 to 4 of the interstate study accreditation treaty

Preliminary remarks

The Standing Conference of the Ministers of Education and Cultural Affairs agreed on the draft of an interstate treaty on the organisation of a joint accreditation system to ensure the quality of teaching and learning at German higher education institutions (interstate study accreditation treaty) on 8 December 2016, which has been signed by the heads of government of all states (Länder). With this treaty, the states have implemented the stipulations of the Federal Constitutional Court, which defined the legal requirements on the accreditation system as a quality assurance instrument in the higher education sector by way of a resolution from 17 February 2016. The interstate study accreditation treaty provides the legal bases for accreditation as a binding, science-led external procedure for quality assurance and enhancement in teaching.

Apart from content-related as well as procedural and organisational requirements that have to be set by the legislature itself, the Federal Constitutional Court has also defined formal regulatory requirements, in particular with respect to the adequate scientific composition of the protagonists, as well as the procedures to set out and revise the assessment criteria. Resolutions of the Standing Conference of the Ministers of Education and Cultural Affairs and the Accreditation Council have not been considered as sufficient as they are executive agreements.

Article 4 of the interstate study accreditation treaty therefore contains an authorisation for decrees of the states to regulate the details of

- the formal criteria,
- the academic criteria,
- the procedure and courses of the procedure,
- the composition of the panels.

On this basis, the present specimen decree regulates the requirements on the indispensable structural and qualitative standards for the accreditation of Bachelor's and Master's study programmes that are common for all states, which are needed to ensure the obligation of the states resulting from Article 1 paragraph 2 of the interstate study accreditation treaty to guarantee the equivalence of corresponding study and examination results as well as qualifications and the possibility of transfer between higher education institutions.

The regulations were drawn up based on the respective resolutions of the Standing Conference of the Ministers of Education and Cultural Affairs on the Bachelor and Master's system¹ and on quality assurance through accreditation, in particular the

¹ In particular "Common Structural Guidelines of the Länder for the accreditation of Bachelor's and Master's study courses" (resolution of the Standing Conference of the Ministers of Education and Cultural Affairs of 10 October 2003 as amended on 4 February 2010), see https://www.kmk.org/fileadmin/veroeffentlichungen_beschluesse/2003/2003_10_10-Accreditation-Bachelors-Masters-study-courses.pdf

Common structural guidelines, the existing rules for the accreditation of the Accreditation Council, suggestions from its working group on “Rule revisions” as well as the Standards and Guidelines for Quality Assurance in the European Higher Education Area (ESG). However, the opportunity was also taken here of making the procedures more flexible and optimising these on the basis of former experience with accreditation, and thus of making a contribution to cutting costs and dismantling bureaucracy. Furthermore, the results of hearings with representatives of the German Rectors’ Conference, the Accreditation Council, the agencies, the Verband der Privaten Hochschulen (association of private universities), the students and the school authorities have also been taken into account.

Regulations for the charges to be levied by the agencies, for which the interstate study accreditation treaty also offers legal grounds (Article 4 paragraph 5), are not the subject matter of this specimen decree but remain – wherever necessary – reserved to special regulations on the basis of a further specimen decree from the Standing Conference of the Ministers of Education and Cultural Affairs. It is planned to evaluate the development of costs after two years to decide on the necessity of a cost limitation on the basis of this evaluation.

When drawing up this specimen decree, the Standing Conference of the Ministers of Education and Cultural Affairs was guided by the principle anchored in the interstate study accreditation treaty that ensuring and enhancing the quality of teaching and learning is primarily the task of the higher education institutions. The Standing Conference of the Ministers of Education and Cultural Affairs assumes that the higher education institutions focus on the quality of studies independently and comprehensively when designing their study programmes.

The following substantiation aims to provide explanations and interpretation aids for the implementation of the state regulations to be enacted on the basis of the specimen decree so as to ensure that the consistency of actions within the scope of the accreditation is guaranteed and the aim of the treaty pursuant to Article 1 paragraph 2 is not jeopardised by divergent practice. The principle that has been expressly advocated up to now continues to apply, namely that the existing freedoms, expressed in the specimen decree through a large number of optional provisions or provisions which have to be followed as a rule only and restrictive phrasings, be exploited flexibly and productively. However, the exercise of these freedoms requires a comprehensible substantiation by the higher education institutions, which has to be explained and verified during the accreditation of the study programmes and in the corresponding processes of internal quality assurance.

The interstate study accreditation treaty on which the specimen decree is based entered

into force on 1 January 2018. § 36 of the specimen decree, as adopted by the Standing Conference of the Ministers of Education and Cultural Affairs on 7 December 2017, provided for a review of the application and effects of the decree three years after it became effective (1 January 2018). The Standing Conference of the Ministers of Education and Cultural Affairs therefore initiated a comprehensive evaluation process for the specimen decree in 2021. The states and relevant stakeholders in the accreditation system such as the Confederation of German Employers' Associations, the German Trade Union Confederation, the German Rectors' Conference, the churches, the Accreditation Council Foundation, the Student Accreditation Pool in cooperation with the Free Association of Student Organisations, the Verband der Privaten Hochschulen and the Association of Agencies were involved in the process. The results of the multi-stage participation process were incorporated in this revised version of the specimen decree and its substantiation.

II. On the individual regulations

Part 1 – General regulations

§ 1 – Scope

Paragraph 1 determines the scope of the specimen decree, which in accordance with Article 2 paragraph 2 and paragraph 3 as well as Article 3, relates to the formal criteria, the academic criteria and the procedure.

Paragraph 2 takes account of the decision of the Standing Conference of the Ministers of Education and Cultural Affairs on the “Einordnung der Bachelorausbildungsgänge an Berufsakademien in die konsekutive Studienstruktur” (Classification of Bachelor’s study programmes at colleges of cooperative education in the consecutive structure of higher education studies) from 15 October 2004², that courses at colleges of cooperative education that lead to the qualification title “Bachelor” are to be accredited. The regulations for the programme accreditation are applicable, unless specific provisions apply which can be found in § 8 paragraph 6 and § 21 and that are substantiated in the dual concept of the training programme. The qualification title of “Bachelor” that is awarded at colleges of cooperative education is not a higher education degree but a state qualification title.

The accreditation according to the regulations of the (specimen) decree is the basis for the equation under higher education law of Bachelor’s degrees from colleges of cooperative education with Bachelor’s degrees from higher education institutions, which in particular grants access to Master’s study programmes and therefore increases transfer opportunities between different education systems. It is expected that the equation under higher education law also entails the equation under professional law.

§ 2 – Forms of accreditation

The following regulations of this decree apply to the possible subjects of the accreditation defined in § 2 in accordance with Article 3 (paragraph 1) of the interstate study accreditation treaty.

Part 2 – Formal criteria for study programmes

Part 2 above all addresses the Common structural guidelines, with which the states have agreed on the core elements of the two-cycle graduation system as a basis for mobility during the study programme and mutual recognition of qualifications within Germany and the European Higher Education Area.

² http://www.kmk.org/fileadmin/veroeffentlichungen_beschluesse/2004/2004_10_15-Bachelor-Berufsakademie-Studienstruktur.pdf

§ 3 – Programme structure and duration, recognition

Paragraph 1 establishes the principle that the Bachelor's degree is the standard qualification in a two-cycle graduation system. It has to be characterised by a distinctive profile qualifying for a profession that allows a professional activity to be taken up in the respective specialist field. This does not rule out the possibility that the requirements stipulated under professional law for certain professional activities are only achieved at the Master's level.

The Master's degree is defined as an additional professional qualification at higher education level.

Paragraph 2 represents the orientation framework for the planning and conception of Bachelor's and Master's study programmes for higher education institutions; it does not regulate the individual study behaviour.

The flexibility of 3, 3.5 and 4-year full-time Bachelor's study programmes and 1, 1.5 and 2-year full-time Master's study programmes allows for study programmes to be structured according to the requirements of the respective discipline and disciplinary culture. Study programmes on a Bachelor's level with a full-time standard period of study of less than three years are excluded. The total standard period of study up to the Master's level in consecutive study programmes is 10 semesters.

Exceptions are possible in the core artistic subjects at colleges of art and music. If provided for in state law, consecutive Bachelor's and Master's programmes with a total duration of 6 years may be established in these subjects³. Furthermore, state law may also provide for standard periods of study to be adjusted if a study programme is structured accordingly.

Paragraph 3: The derogation for the "full-time theology course" is worded with reference to Article 17 paragraph 2 of the interstate study accreditation treaty and with a view to the agreement of the Standing Conference of the Ministers of Education and Cultural Affairs with the Protestant Church in Germany and with the German Catholic Bishops' Conference "Eckpunkte für die Studienstruktur in Studiengängen mit Katholischer oder Evangelischer Theologie/Religion" (Key Points for the Structure of Studies in Study Courses involving Catholic and Protestant Theology/Religion) – resolution of the Standing Conference of the Ministers of Education and Cultural Affairs of 13 December 2007 as amended on 8 September 2022⁴. In this agreement, the churches agreed to

³ Note: the core artistic subjects are not defined in more detail here. Each state and higher education institution decides on the inclusion of the study programmes in fine arts in the two-cycle structure of higher education studies and assignment of a subject to the core artistic subjects.

⁴ http://www.kmk.org/fileadmin/Dateien/veroeffentlichungen_beschluesse/2007/2007_12_13-Eckpunkte-Studienstruktur-Theologie.pdf

follow the structural guidelines applicable to study programmes. However, divergent regulations can apply in individual cases with respect to study programmes leading to a qualification for a church office. According to this, the two-cycle structure of Bachelor and Master is not compulsory. Other than this, however, the full-time study programmes in theology with a standard period of study of ten semesters are fully subject to the formal and academic criteria of the accreditation, with the exception of the degree (see here § 6 paragraph 2 clause 6 and substantiation).

Paragraph 4: In accordance with the provisions of the higher education acts of the states, higher education institutions are obliged to recognise competences, qualifications and achievements acquired at higher education institutions in accordance with the Lisbon Recognition Convention and to recognise prior learning. Paragraph 4 clarifies that provisions on recognition and recognition of prior learning are reviewed as a formal criterion in accreditation procedures.

§ 4 – Profiles for study programmes

Paragraph 1 defines regulations for the profile of Master's study programmes. Master's study programmes can be assigned to the profile types "application-oriented" and "research-oriented" irrespective of the type of higher education institution. In view of the waiver of a differentiation between study programmes at universities of applied science and universities, the differentiation allows transparency for students and the labour market. Clause 1 clarifies that the assignment of an application or research-oriented profile is optional. If one of these profile types is assigned, this has to be reflected very clearly in the design of the study programme. Master's programmes may also contain both application-oriented and research-oriented elements, in which case they do not feature a specific profile.

Master's study programmes at colleges of art and music may have a specifically artistic profile.

Master's study programmes that teach the educational requirements for a teacher training qualification, on the other hand, must have a particular teacher training-related profile. To this end, the professional requirements for teacher training programmes that are common for all states (standards in educational sciences and requirements on the content of the subjects and their didactics that are common for all states) as well as any state-specific content-related and structural specifications are to be established as assessment standards.

Clause 4 clarifies that the profile has to be reviewed in the accreditation procedure only in the event that the higher education institution has in fact assigned a profile in accordance with clause 1 or 2. Study programmes in accordance with clause 3 must have

a special teacher training-related profile, which is assessed in the accreditation procedure.

Paragraph 2: Irrespective of the type of higher education institution a differentiation is made between Master's study programmes that are consecutive and those providing further education; the latter are defined in more detail in § 11 paragraph 3.

Master's study programmes that provide further education lead to the same degree level and the same rights as consecutive Master's study programmes. The same requirements on the standard period of study and the requirement of a final thesis therefore apply for these, too.

Paragraph 3 clarifies that the requirement of a final thesis is an indispensable quality feature of all study programmes. In artistic study programmes, the term "final thesis" can also be understood in the sense of a "final project". The final thesis serves to prove the ability to deal with a problem from the respective subject independently by means of academic or artistic methods within a set period of time. With respect to the scope of the final theses, please refer to § 8 paragraph 3.

§ 5 – Admission requirements and transitions between different courses

Paragraph 1: Admission to a Master's study programme requires a first professional qualification at a higher education level⁵. This takes account of the character of the Master's degree as an additional professional qualification at higher education level (see § 3 paragraph 1).

An exemption from the requirement of a first professional qualification at a higher education level in Master's study programmes providing further education and those of an artistic nature is possible under state legislation if the first professional qualification at a higher education level is replaced by an entrance examination. With regard to the profile of further education Master's study programmes defined in § 4 paragraph 2, clause 3 stipulates that admission requires at least one year of qualified professional experience that is relevant to the qualification objective of the study programme, as the students' professional experience is taken into account and built on in the design of further education Master's study programmes. Admission without the minimum amount of one year of previous professional experience is only possible in individual justified cases of students with an equivalent level of professional qualification, but must not be generally provided for when designing the study programme (see substantiation of § 11 paragraph

⁵ Note: The specimen decree does not contain any specific regulations on transitions between the study programmes in the different graduation systems for which the general provisions governing credits apply. The higher education institutions and the states are free to regulate details in the examination regulations or the higher education regulations.

3 clauses 3 and 4).

Paragraph 2 clause 1 takes into account the interests of colleges of art and music, that are primarily concerned with special artistic skills when it comes to admission to Master's study programmes. When it comes to admission to artistic Master's study programmes providing further education – and unlike other Master's study programmes providing further education – professional activities that are only completed during the study programme can also be taken into account if allowed by state legislation.

Paragraph 3: Further requirements for admission to Master's study programmes can be stipulated according to state legislation.

§ 6 – Qualifications and qualification designations

Paragraph 1 regulates the principle that only one degree can be awarded for the successful completion of a study programme. Exceptions are only possible within the scope of international cooperation projects leading to a double or multiple degree from the higher education institutions involved. This rules out the possibility of degrees being awarded simultaneously under the old and the new graduation system. There is no differentiation between the qualification degrees depending on the length of the standard period of study or the type of higher education institution where the degree was earned.

Paragraph 2 conclusively defines the qualification designations for Bachelor's and consecutive Master's study programmes. The Latin designations *Baccalaureus/Baccalaurea* and *Magister/Magistra* can be used in place of the qualification designations Bachelor and Master. In the case of study programmes that cannot be clearly assigned to one of the groups of subjects named in clause 1 numbers 1 to 7, the qualification designation depends on the subject focus of the study programmes. This applies for interdisciplinary and combined study programmes, but also in particular for polyvalent study programmes in the field of teacher training, for which the qualification designations according to numbers 1 to 7 can be awarded. Different designations may still be used for Master's study programmes providing further education. Subject additions to the qualification titles and mixed-language qualification titles are excluded, as are Bachelor's degrees with the supplement "honours".

Exceptions from the specifications for the qualification designations exist for full-time, non-graduated study programmes in theology. These are usually concluded with one academic degree. If the examination regulations stipulate an academic graduation, the qualification designation "*Magister Theologiae*" can be used in accordance with number 3 of the "Key Points". Reference is thus made in a Latin form to the academic degree of "Master", and in this respect the relationship established to the extensive Bologna framework. The theological faculties are free to award this academic degree in a feminine

form too.

Paragraph 2 number 7 regulates the designations for Bachelor's and consecutive Master's degrees for study programmes that teach the educational requirements for a teacher training qualification. In the interests of transparency, and to avoid false expectations of mobility the qualification designation "Master of Education" (section B 2. of the latest version of the "Common structural guidelines of the Länder for the accreditation of Bachelor's and Master's study courses", resolution of the Standing Conference of the Ministers of Education and Cultural Affairs of 10 October 2003) should in any case be reserved for those qualifications that grant admission – usually nationwide – to a preparatory service for a teacher training qualification pursuant to state law.

Paragraph 3 allows the possibility of issuing attestations of equivalence and therefore serves the establishment of transparency with respect to the degree level of the Bachelor's and Master's degree compared to Diploma degrees from a single-stage system. Attestations of equivalence are already common practice at some higher education institutions.

Paragraph 4 regulates that the Diploma Supplement is an obligatory and integral part of every degree certificate. The Diploma Supplement is an additional document with standardised information on qualifications at a higher education level and associated qualifications that aims at facilitating and improving the assessment and classification of these qualifications for both study and professional purposes. The latest version of the Diploma Supplement agreed between the Standing Conference of the Ministers of Education and Cultural Affairs and the German Rectors' Conference must be used.

§ 7 – Modularisation

Paragraph 1 defines the requirements on the modularisation that have to be proven during the accreditation. Modules combine subjects in thematically and chronologically complete, self-contained study units assigned with a number of credits. They can be made up of different teaching and learning formats (such as lectures, tutorials, practical work assignments, e-learning, research training, etc.). A module can comprise the intended learning outcomes and programme content of a single semester or an academic year, but can also cover several semesters in exceptional cases. The taking account of learning outcomes as well as programme contents serves student and competence orientation. The temporal limitation to two consecutive semesters in principle has two main intentions. On the one hand, modules serve the transparent internal structuring of study programmes and should therefore not be too large. On the other hand, modules that last for a longer period of time could restrict mobility. If the higher education institution departs from the specified limitation, it has to be demonstrated that this has no negative effect on the objectives pursued or that corresponding measures are in place for

compensation. Clause 3 takes account of the particularities of artistic study programmes.

Paragraphs 2 and 3 regulate the requirements on the description of modules. The description of the modules should offer students reliable information on the study progress, contents, qualitative and quantitative requirements and integration in the overall programme concept. The description should also allow an assessment of the module with a view to the recognition and transfer of credits when changing to a different higher education institution. Module descriptions may optionally also contain information on the usability of the module in other study programmes or in connection with modules of the same study programme.

Paragraph 2 does not contain any rigid stipulations that would prevent a flexible organisation of the course. Notwithstanding the responsibility of the higher education institutions for organising the modules in detail, the standards for the description of modules recommended in numbers 1 to 8 do, however, assume that information be provided on the following aspects:

1. Intended learning outcomes and programme content
 - a) Subject-specific, methodical, practical and interdisciplinary programme content,
 - b) Subject-related, methodical, interdisciplinary competences, key qualifications,
 - c) Intended learning outcomes that are aligned to an overall qualification (envisaged degree) to be defined;
2. Forms of teaching and learning

Description of the individual teaching and learning formats (lectures, tutorials, seminars, practical work assignments, project work, self-study);
3. Requirements for participation (in conjunction with paragraph 3)

Description of the knowledge, abilities and skills for a successful participation as well as possibilities for preparing the participation (including bibliographical references, references to multimedia-based teaching and learning programmes);
4. Requirements for awarding of ECTS credit points (in conjunction with paragraph 3)

Description of the requirements for the award of credit points – in particular examinations (type of examination, e.g. oral or written examination, presentation, seminar paper as well as the scope and duration of the examination), attendance records, compensation possibilities are to be regulated in the examination regulations;
5. ECTS credit points and grading

Separate specification of credit points and grades; apart from the grade on the basis of the German grades from 1 to 5, a relative grade must also be shown for the final grade. It is recommended that this be calculated according to the latest version of the ECTS Users' Guide;

6. Frequency with which the module is offered

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

7. Workload

Specification of the total workload involved and the number of credit points that are awarded for each module;

8. Duration of the module

Specification of the duration of the modules on account of their influence over the order of study, the examination workload and the frequency of the offer.

§ 8 – Credit points system

Paragraph 1 deals with the award of credit points. They are a quantitative measure for the student's overall workload and comprise both direct teaching as well as the time needed for the preparation and follow-up of the syllabus (class time and self-study), the examination workload and the examination preparations including the final theses and seminar papers as well as any practical work assignments.

Credit points are awarded on the basis of the European Credit Transfer System (ECTS), which is applied in the European Higher Education Area in the course of the Bologna process and therefore facilitates mutual recognition.

60 credit points are awarded in each academic year, i.e. 30 per semester. One credit point is assumed for a student workload in class time and self-study of 25 to a maximum of 30 hours, so that the total workload in a full-time study programme amounts to 750 to 900 hours per semester in the lecture and lecture-free period. This corresponds to between 32 and 39 hours a week for 46 weeks a year. The concrete specification of how many working hours form the basis of an ECTS credit point within the given range takes place in the study and examination regulations.

Credit points are assigned to the individual modules. They are awarded if the achievements stipulated in the examination regulations are proven, whereby an examination is not necessarily assumed but the successful completion of the respective module is.

Paragraph 2 stipulates that at least 180 ECTS credit points are needed to achieve the Bachelor's degree, and a total – i.e. including the previous study programme up to the first professional qualification – of 300 ECTS credit points to achieve the Master's level. There are no exceptions to these planning specifications for the higher education institutions. The deviations from the standard period of study that are allowed pursuant to § 3 relate exclusively to the specified times and do not allow any deviation from the specified number of ECTS credit points.

According to clause 3, the 300 ECTS credit points required for the Master's degree can be waived in individual cases with a corresponding qualification of the student. This exception, however, relates exclusively to individual students and not the study programme. Accordingly, applicants can also be admitted to the Master's study programmes who do not achieve the sum total of 300 ECTS credit points on account of the number of ECTS credit points from the Bachelor's study programme. Proof of the qualification necessary for the admission is a prerequisite.

In accordance with the possible total standard period of study of 6 years (§ 3 paragraph 2), the Master's level in case of consecutive Bachelor's and Master's study programmes in the core artistic subjects at colleges of art and music can be achieved with 360 credit points. The possibility of large modules in the core artistic subjects in a Bachelor's study programme (§ 7 paragraph 1 clause 3) takes into account the particularities of the artistic training, which is opposed to a small-scale modularisation on account of the integrated approach.

Paragraph 3 regulates the scope of work of the final theses. In order to guarantee a scope of work that is based on the training goal and level and is commensurate to the number of hours in the respective study programme, this may not fall below 6 ECTS or exceed 12 ECTS credit points for the Bachelor's thesis. A lower limit of 15 and upper limit of 30 ECTS credit points applies for the Master's thesis. The specifications serve both to ensure the quality as well as the interests of the students in study programmes that are not overloaded in terms of either content or time. The ranges allow a flexible organisation in consideration of the particularities of specific subjects.

The specifications apply in principle for colleges of art and music too. In study programmes in fine arts, the scope of work can be up to 20 ECTS credit points for the Bachelor's thesis and up to 40 ECTS points for the Master's thesis in duly substantiated exceptional cases.

Paragraph 4 determines that deviations from the specifications of the number of credit points in each semester are in principle possible with certain types of study programmes, e.g. intensive study programmes. The upper limit here is 75 ECTS credit points on the basis of 30 hours for each credit point. In these cases, special attention must be paid to

academic feasibility. The higher education institutions can contribute to the academic feasibility in such study programmes by means of special study-related organisational measures.

Paragraph 5 takes up the recommendation of the Standing Conference of the Ministers of Education and Cultural Affairs and the German Rectors' Conference of 12 June 2007/ 8 July 2008⁶ on awarding a Master's degree in teacher training with a designated inclusion of the achievements from the preparatory service. One option to include the preparatory service in the Master's study programme is to credit parts of the preparatory service. A benchmark for practical school-based training in the study programme and in the preparatory service are the "Standards für die Lehrerbildung: Bildungswissenschaften" (Standards for teacher training: Educational sciences); resolution of the Standing Conference of the Ministers of Education and Cultural Affairs of 16 December 2004⁷. On this basis, the higher education institutions and the institutions of the second phase of training agree on state-specific qualification frameworks, on the basis of which the higher education institutions and the institutions of the second phase of training will jointly and unanimously develop training formats and examination procedures with a scope of up to 60 ECTS points for a one-year training period as the basis for crediting to a study programme at a higher education institution.

Paragraph 6 regulates particularities of the structure of higher education studies at colleges of cooperative education (Berufsakademien). Colleges of cooperative education (Berufsakademien) are institutions of the tertiary sector that offer science-related and at the same time practically-oriented training lasting at least three years. The number of ECTS credit points to be achieved and the ratio of theoretical and practical elements of training are based on the aforementioned resolution of the Standing Conference of the Ministers of Education and Cultural Affairs of 15 October 2004⁸.

The comparability with Bachelor's study programmes at higher education institutions as a requirement for the equation under higher education law makes it necessary that the theory-based elements of training are commensurate with the practically-oriented elements of training. The classification as "theory-based" and "practically-oriented" should not be carried out relative to a specific institution but to the learning content so that theory-based ECTS credit points can also be earned during the training phases in the company if the corresponding requirements are given, which also relate to the

⁶ https://www.kmk.org/fileadmin/Dateien/veroeffentlichungen_beschluesse/2008/2008_06_12-Empfehlung-Master-Lehrer-Vorbereitung.pdf

⁷ Standards für die Lehrerbildung: Bildungswissenschaften (Beschluss der Kultusministerkonferenz vom 16.12.2004 i. d. F. vom 07.10.2022) available at https://www.kmk.org/fileadmin/Dateien/veroeffentlichungen_beschluesse/2004/2004_12_16-Standards-Lehrerbildung.pdf

⁸ See footnote 2

teaching staff (see § 21). The definition of a range from 120 to 150 ECTS credit points for the theory-based elements allow a flexible organisation corresponding to the requirements of the respective training courses.

§ 9 – Special criteria for cooperations with non-university institutions

§ 9 stipulates the specific formal criteria for non-university cooperation projects pursuant to § 19. From the point of view of quality assurance and transparency, paragraph 1 clause 1 stipulates the requirement of a written cooperation agreement between the higher education institution awarding the degree and cooperating training providers that should cover the nature, scope and mutual services of the existing cooperation. In addition, a transparent description of the scope and type of cooperation on the website of the higher education institution is necessary for reasons of consumer protection.

Paragraph 1 clause 2 emphasises that the higher education institutions, as guarantors for the quality of the qualifications and degrees at a higher education level they award, are responsible for ensuring the quality of the study programmes and the recognition of prior learning. Only those competences that are equivalent in terms of content and level to that part of the study programme they are to replace can be credited. Such knowledge and skills acquired outside the higher education system can replace a maximum of 50% of a higher education study programme. This ensures that the awarding higher education institution is responsible – through its own efforts – for a significant portion of the training on which the university degree is based.

Paragraph 2 clarifies that cooperation projects with non-university institutions with respect to a study programme can only be regarded as being of an equivalent quality on condition that they generate additional verifiable scientific and educational policy benefits for future students and the higher education institution awarding the degree. This added value must be presented comprehensibly.

§ 10 – Special regulations for joint programmes

The regulation serves the implementation of the so-called European Approach for Quality Assurance of Joint Programmes (EA) resolved at the Conference of Ministers of Education from the European Higher Education Area⁹ in May 2015 in Yerevan¹⁰. This should enable the external quality assurance of study programmes developed and answered for jointly by higher education institutions in different states, in particular in the European Higher Education Area, on the basis of uniform rules of procedure and criteria that are oriented on the Standards and Guidelines for Quality Assurance in the European Higher Education Area (ESG)¹¹ which also form the basis of the European Higher Education Area. Corresponding regulations on the academic criteria and the rules of procedure can be found in Part 3 and 4 of this decree (§ 16 and § 33). The regulations

⁹ https://ehea.info/page-full_members, currently 49 European states

¹⁰ https://www.eqar.eu/assets/uploads/2018/04/02_European_Approach_QA_of_Joint_Programmes_v1_0.pdf

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

contained in Parts 2, 3 and 4 of this decree are only applicable for joint programmes wherever this is explicitly stipulated.

The regulations on joint programmes set out the legal framework for accreditation decisions based on divergent criteria and rules of procedure. They hereby open up the possibility of taking accreditation decisions that differ from the criteria and rules of procedure defined in this decree, above and beyond the right of the Accreditation Council Foundation contained in Article 5 paragraph 3 number 2 of the interstate study accreditation treaty to stipulate the requirements for the recognition of accreditation decisions by foreign institutions. Article 5 paragraph 3 number 2 of the interstate study accreditation treaty only gives the Foundation Accreditation Council the mandate to regulate the requirements for the performance of corresponding recognition procedures on the basis of the criteria and rules of procedure enacted in the interstate study accreditation treaty and the decrees enacted on the basis of Article 4 of the interstate study accreditation treaty, without allowing any deviation from these stipulations. With a view to the goals set out in Article 1 paragraphs 2 and 3, Article 4 paragraph 6 of the interstate study accreditation treaty, though also with a view to constitutional law principles (in particular the principle of legal certainty and the theory of “legislative reservation”), this does not entail an authorisation of the Foundation to define its own criteria and rules of procedure in such procedures that differ from these stipulations,.

Paragraph 1 defines the scope of application. In line with a full implementation of the European Approach, this includes double and multiple degrees in addition to study programmes that lead to a joint degree (joint degree programmes).

The participating higher education institutions must be recognised as higher education institutions by the competent authorities in their states. Their respective national legal framework must permit participation in joint programmes (see B 1.1 EA).

Numbers 1 to 5 define the constitutive requirements on the organisation of the study programme and the cooperation needed for applicability. Compliance with these requirements is verified during the accreditation procedure § 10, § 16 and § 33 may be applied to study programmes that meet the requirements of § 10 paragraph 1 clause 1. In addition, higher education institutions may continue to offer study programmes with double and multiple degrees on the basis of mutual recognition of academic achievements that do not meet the criteria of paragraph 1 and feature a lower degree of interlinking. § 20 applies for these, rather than § 10, § 16 and § 33.

Number 1 stipulates that the study programme must be based on a jointly coordinated and systematic, coherently interrelated curriculum. This excludes an application on models where higher education institutions only cooperate in recognizing competences, but do not offer a joint curriculum (see introduction to EA).

Number 2 stipulates that each student must complete at least 25% (measured in ECTS credit points) of the study programme at at least one of the foreign partner higher education institutions. This rules out an application of the special regulations for joint programmes on cooperation projects with optional study abroad or cooperation projects in which mobility is only required for foreign students.

Number 3 postulates the requirement of a contractually agreed cooperation between the participating higher education institutions so as to guarantee the sustainability of the study programme in the interests of the students in particular. The cooperation agreement concluded by the participating higher education institutions within the scope of their contractually agreed cooperation must contain in particular regulations on: the designation of the qualification(s) awarded in the study programme; coordination and responsibilities of the partners involved regarding management and financial organisation; admission and selection procedures for students; mobility of students and teaching staff; examination regulations, student assessment methods, recognition of credit points and degree awarding procedures and the involvement of all cooperating institutions in the design and delivery of the study programme (see B 1.3 EA).

Number 4 ensures that in the interests of students, the study programme has a coordinated admissions and examination system (see B 1.3 EA).

Number 5 stipulates that the participating higher education institutions must have a joint quality management system. This also includes the application of joint internal quality assurance processes by the participating higher education institutions. These comprise in particular the quality assurance strategy, standards to design and approve study programmes, consideration of the principles of study-centred learning, teaching and examining, transparent regulations on admissions and study progress, recognition and qualification, ensuring the competence of the teaching staff, the provision of appropriate means to ensure the learning environment, a sound information management system and an ongoing monitoring and periodic review of the study programmes (see B 9 EA in conjunction with the ESG 1.1 and Part 1 of the ESG).

Paragraph 2 stipulates formal criteria that apply for joint programmes.

With a view to the involvement of foreign higher education institutions and the political agreements reached in the European Higher Education Area, Clause 1 expressly stipulates the application of the recognition principles of the so-called Lisbon Recognition Convention, that already applies as a criterion qua federal and state legislation for higher education institutions in Germany ¹² (see B 4.2 EA). These comprise:

¹² "Gesetz zu dem Übereinkommen vom 11. April 1997 über die Anerkennung von Qualifikationen im Hochschulbereich in der europäischen Region" (law from 11 April 1997 on the Convention on the Recognition of

- A right to the recognition of competences acquired as qualification for a study programme at a higher education institution/within the scope of a study programme at a higher education institution in the event that there are no substantial differences between the acquired competences and those that have to be proven. This is to be measured in particular by the qualification goal of the respective study programme that is to be achieved,
- reversal of the burden of proof in favour of the applicant,
- an obligation on the part of the higher education institution to substantiate negative decisions,
- the right to a review of the decision.

Clause 2 makes it clear that the principles set out in § 7 and § 8 paragraph 1 on modularisation and the credit points system apply here too and that the distribution of credit points must be clear (see B 3.2 EA).

Clause 3 stipulates in accordance with the political agreements in the European Higher Education Area that a Bachelor's study programme must comprise at least 180 and a maximum of 240 credit points, a Master's study programme at least 60 credit points (see B 3.3 EA). A Master's degree, including the first academic degree, does not necessarily have to be based on 300 ECTS credit points.

Clause 4 makes it clear, in particular in the interests of internationally mobile students, that the relevant information on the programme, such as admission requirements and procedures, course catalogue, examination and assessment procedures must be published and accessible to students at all times (see B 8 EA).

Clause 5 clarifies that only the formal criteria for study programmes (Part 2 of the decree) that are explicitly mentioned in paragraph 2 apply to study programmes that meet the requirements of § 10 paragraph 1 clause 1. It is not necessary that the other formal criteria for study programmes according to Part 2 of the decree are met.

Paragraph 3 extends the scope of the criteria and rules of procedure set out in § 10 paragraphs 1 and 2, § 16 paragraph 1 and § 33 paragraph 1 of the European approach to joint programmes conducted in cooperation with higher education institutions outside the European Higher Education Area if the cooperation partner outside Europe has

Qualifications concerning Higher Education in the European Region) from 16 May 2007, BGBl. 2007 II p. 712 et seq.,
https://www.kmk.org/fileadmin/pdf/ZAB/Konventionen_und_Uebereinkommen_von_Europarat_UNESCO/Lissabonkonvention.pdf

pledged to apply these principles in a cooperation agreement with the domestic higher education institution.

Part 3 – Subject-content criteria for study programmes and quality management systems

This section serves to substantiate the academic criteria named in Article 2 paragraph 3 of the interstate study accreditation treaty.

§ 11 – Qualification goals and qualification level

§ 11 regulates the criteria according to which the consistency of the qualification goals and the qualification level of the respective programme concept is to be assessed within the scope of the accreditation procedure.

Paragraph 1 makes reference to Article 2 paragraph 3 number 1 of the interstate study accreditation treaty which lists the scientific or artistic proficiency that corresponds to the envisaged qualification level and the employability as well as the development of personality as qualification goals of a study programme. In view of the particular significance for teaching and learning to bear relation with society as part of the personality development characteristic, this is mentioned explicitly in accordance with the definition of the German Science and Humanities Council in the recommendations on the relationship between university education and the labour market from 2015¹³. Within the scope of the accreditation, it should be assessed whether the qualification goals and intended learning outcomes that are to be specified by the higher education institution for each study programme actually reflect these goals. The specified qualification objectives and learning outcomes of a study programme provide a good, quick overview of a study programme. They are interesting for prospective students choosing a study programme as well as for employers assessing the qualifications of graduates. This is why the higher education institution must make them publicly available (e.g. on its website).

Paragraph 2: The aspects of the subject-related, scientific, artistic, methodological and character-forming requirements described in paragraph 2 are based on the descriptors and competence dimensions of the latest version of the “Qualifikationsrahmen für deutsche Hochschulabschlüsse” (qualifications framework for German qualifications at a higher education level)¹⁴, which was drawn up in a cooperation between the German Rectors’ Conference and Standing Conference of the Ministers of Education and Cultural Affairs and agreement with the Federal Ministry of Education and Research and resolved by the Standing Conference of the Ministers of Education and Cultural Affairs on 16

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

¹⁴ https://www.kmk.org/fileadmin/Dateien/veroeffentlichungen_beschluesse/2017/2017_02_16-Qualifikationsrahmen.pdf,

February 2017. This implements the qualifications framework for the European Higher Education Area¹⁵ on a national level and comprises the teaching of current subject-related knowledge, interdisciplinary knowledge and the generally recognised principles of good scientific practice as well as the acquisition of methodological, personal and social competences and the guarantee of employability and lifelong learning skills. It should be assessed in the accreditation procedure whether the programme concept covers these aspects and whether these correspond to the qualification level that is taught.

Paragraph 3 stipulates the requirements on the Bachelor's and Master's levels in a two-cycle system and on the different profiles for the study programmes to be verified in the accreditation, based on the respective resolutions of the Standing Conference of the Ministers of Education and Cultural Affairs¹⁶ that have proven themselves in former accreditation practice.

Clause 1 hereby clarifies the function of the Bachelor's degree as a first professional qualification, which teaches a broad qualification as a basic qualification at a higher education level and thus has to ensure the ability to take up a professional activity as well as for further academic or artistic qualification and lifelong learning. In accordance with the differentiation of the Master's study programmes pursuant to § 4 paragraph 2 clause 2 defines consecutive Master's study programmes as consolidating or broadening knowledge, as multi-disciplinary study programmes, or ones that cover different subjects. Clauses 3 and 4 regulate the special requirements on Master's study programmes providing further education. Master's study programmes providing further education are characterised by an emphasis on professional qualification. Therefore, the preceding professional activity is a constitutive element that has to be reflected in both the duration as well as the type of activity. If the minimum duration of the preceding professional activity of one year is fallen short of, this hence requires particular justification. The professional activity builds on the preceding first professional qualification and therefore cannot be replaced by either mandatory internships in the Bachelor phase or professional activity before the Bachelor study programme is begun. According to the qualification objective, special attention must be paid during the accreditation to the relationship between the professional qualification and programme concept as explained by the higher education institution. The same applies for the verification of the requirements that – despite the predominantly professional focus – have to meet the qualification level defined for the Master's stage in terms of structure (see also § 4 paragraph 2) and content (see also paragraph 2). Clause 5 specifies the qualification goals for artistic Bachelor's and Master's study programmes.

https://www.ehea.info/media.ehea.info/file/WG_Frameworks_qualification/85/2/Framework_qualificationsforEHEA-May2005_587852.pdf

¹⁶ See footnote 1

Bachelor's and Master's study programmes can be studied at various higher education institutions, and at different kinds of higher education institutions as well as with phases of professional activity between the first and second degree.

§ 12 – Coherent programme concept and adequate implementation

§ 12 substantiates the criteria for the assessment of the respective programme concept based on the structural requirements set out in § 3 et seqq. and defines the framework that has to be verified for an adequate implementation. A particular focus here is on academic feasibility. The regulations are based on the standards included in the ESG adopted by the participating countries in the European Higher Education Area at their Ministerial Conference in May 2015 for the internal quality assurance of higher education institutions, in particular as to the design of study programmes (standard 1.2), student-centred learning, teaching and assessment (standard 1.3), admission, progression, recognition and certification (standard 1.4), teaching staff (standard 1.5) and the requirements on the learning environment (standard 1.6).

Paragraph 1 clause 1 calls for a coherent curriculum with a view to the ability to achieve the qualification goals in consideration of the entry qualification (see standard 1.2). Clause 2 demands a contextualisation of qualification goals (see also § 11 paragraphs 1 and 2), name of the study programme, qualification level and designation (see also § 6) and module concept (see also § 7). Clause 3 postulates a variety of teaching, learning and examination methods adapted to the respective disciplinary cultures and the study programme format as well as any necessary practical parts (see standard 1.3). In evaluating the respective study concept, the forms of examination are also considered, aiming to ensure that the design of examination aligns with the intended learning outcomes and with the design of the course (constructive alignment). Clause 4 stipulates that the study programme must offer a suitable framework to encourage student mobility, allowing students to attend other higher education institutions without losing time. This includes in particular the consideration of mobility windows in the programme concepts and recognition procedures that consistently apply the principles of the Lisbon Recognition Convention¹⁷ with regard to periods of study spent not only at higher education institutions abroad but also in the students' home countries. Admission requirements for Master's study programmes must also encourage mobility and enable a transfer between higher education institutions as well as between different types of higher education institutions. Clause 5 ensures that the students are encouraged to take an active part in designing the teaching and learning process. This guarantees student-centred learning, teaching and assessment within the meaning of standard 1.3 of the ESG. Clause 6 takes account of the publication obligation specified in standard 1.4 of the ESG. This ESG standard contains the publication requirements including the provisions

¹⁷ See footnote 12

for all phases of the student life cycle.

Paragraphs 2 and 3: Apart from those aspects related to the study programme, the institutional framework should also be included in the assessment, wherever this is directly relevant for the implementation of the study programme. This covers both the teaching staff as well as the resources and equipment (see standard 1.5 teaching staff and 1.6 learning environment). The phrasings hereby guarantee a discretion depending on the concrete study programme.

Paragraph 2 clause 1 stipulates that the teaching staff must offer both a quantitative and qualitative guarantee for the adequate implementation of the curriculum. This also includes the communicative skills of the teaching staff. Clause 2 demands that the connection between research and teaching be guaranteed by an adequate number of professors (main job)¹⁸ who teach on a regular basis. This applies for both undergraduate and graduate study programmes. Clause 3 demands suitable measures for the choice and qualification of staff to ensure content-related and didactic qualified teaching in each study programme. This includes structured processes for appointment procedures or a systematic offer for higher education didactic qualification.

Paragraph 3 regulates that the resources and equipment must also be included in the assessment, wherever these are important for the implementation of the concept and the achievement of the qualification goals. The supplement in brackets contains an exemplary list of possible equipment features, though this is by no means exhaustive and can be replaced or supplemented by others depending on the individual case.

Paragraph 4: The envisaged examinations and types of examination must enable the students to demonstrate the extent to which they have achieved the intended learning outcomes. The examinations must be related to the module – and not the individual lectures – and be competence-oriented. In order to ensure this, a permanent review and further development of the types of examination used must be guaranteed.

Paragraph 5 ensures that the study programme is designed in such a way that it can typically be completed with success by a student within the standard period of study, and clause 2 lists the components that have to be checked indispensably in the assessment. This list is not exhaustive. Depending on the concrete programme concept (for example, study programmes with a particular profile requirement, see paragraph 6), further factors may have to be taken into account here.

One criterion for the academic feasibility according to number 1 is a predictable and reliable implementation of the study programme. This comprises in particular informing

¹⁸ On account of different definitions of the title “Professor” in state law, divergent titles may be used here in the decrees of the states.

students promptly and comprehensively of all organisational aspects related to the study programme and the transparent and reliable planning and performance of courses and examinations.

Number 2 also requires the absence of overlaps in courses and examinations to a large extent. This applies above all for the compulsory module area and the frequently chosen combinations of subjects and elective modules. As for the rest, if an absence of overlaps cannot be guaranteed, it must be ensured that applicants/students are informed in due time and transparently.

Number 3 also requires that in the programme concept, in consideration of the formal requirements in § 7 and § 8 the workload involved and examination load be determined plausibly and that these determinations are checked continuously and adjusted wherever necessary, in particular through regular workload surveys. In order to ensure that students are able to actively shape the course of their studies, and to guarantee sufficient flexibility, in particular with a view to changing the higher education institution, and predictability for students, the learning results of a module shall be calculated so that these can usually be achieved within one semester, and at most within one year.

An adequate and workload-appropriate examination frequency and organisation in accordance with number 4 is among the aspects that ensure that the study programme is designed in such a way that it can be successfully completed within the standard period of study. Multiple (smaller) examinations per module are also possible in accordance with the didactic concept and in the sense of the principle of competence-oriented examination enshrined in § 12 paragraph 4, provided that this ensures an adequate examination frequency and organisation and an appropriate workload. This must be coherently substantiated and assessed with involvement of students in the context of continuous monitoring in the sense of § 14. An examination concept that demonstrates that the overall examination load is appropriate for the study programme in question is required for this purpose. Examination here means the legally sound proof that the module's qualification goal has been reached. This includes preliminary work, academic achievements or other proofs, such as the completion of a practical work assignment, performance of a laboratory test, participation in excursions. It is sufficient for the examination concept to be included in the module descriptions or the examination regulations if a higher education institution systematically assumes that there shall be one examination per module and thus a maximum of six examinations per semester. If more than one examination per module is systematically assumed for particular study programmes, the typical examination constellations must be presented at the programme level as part of the study programme concept. In addition to matters of didactics and competence-orientation, the concept must clearly demonstrate to assessors that the overall examination load is appropriate and not increased through the increase in the

number of examinations and that the examination load is spread over the semester in an expedient way. The concept can be presented in a suitable place in the self-documentation or corresponding documents of system-accredited higher education institutions. Students are explicitly involved in the assessment of examination frequency and organisation; among other aspects, this is done to prevent examination systems with a great number of small examinations that are a burden on students. In addition, modules should generally account for at least five ECTS credit points. This is a provision, which must be followed as a rule only. This means that deviations are possible in justified cases. The consistency of the respective module concepts and the consistency of the examination concept relative to the qualification goals of the respective module hereby have to be taken into account as well as the overall examination load in the respective study programme¹⁹.

Paragraph 6: The study programme's profile as published by the higher education institution has to be included in the assessment, too. If the higher education institution advertises or identifies a study programme with certain features (e.g. international, dual, extra-occupational, virtual, on-the-job, part-time), these features are part of the programme profile and thus also a subject matter of the assessment.

In these cases, the criteria named in paragraphs 1 to 5 are applicable depending on the specific profile and from the specific point of view in each case and must be measured against the particular requirements to be defined in each case by the higher education institutions. These include in particular aspects such as the specific target group, a particular organisation of the study programme, different places of learning and the involvement of practical partners, for example in dual models, specific teaching and learning formats or the existence of a sustainable quality management system that covers the different places of learning.

Paragraph 7 defines the threefold interlinking of places of learning in dual study programmes at content, organisational and contractual level as a profile feature of dual study programmes. The definition serves to clarify the corresponding requirements both for the design of study programmes by the higher education institution and for the accreditation of dual study programmes. It also creates transparency for prospective students and future employers of graduates of dual study programmes.²⁰

§ 13 – Subject-content organisation of the study programmes

§ 13 defines the framework for the subject-content assessment of study programmes and

¹⁹ "Common structural guidelines of the Länder for the accreditation of Bachelor's and Master's study courses" of 4 February 2010 – interpretation aids – of 25 February 2011, number 5

²⁰ On account of different definitions of the designation "dual studies" in state legislations, additional, explanatory definitions may be used here in the states' decrees.

specifies the special requirements for teacher training programmes.

Paragraph 1: In view of Article 5 paragraph 3 of the German Basic Law, the regulation is limited to checking compliance with the procedural requirements to ensure a sound programme concept regarding the subject and leaves the experts a wide margin of discretion in terms of content. In accordance with clause 1, this includes the existence of mechanisms/measures to determine the consistency of the subject-related and scientific requirements. Moreover, clause 2 requires proof of a regular check and readjustment of not only the subject-content design of the curriculum but also the methodical-didactic approaches so as to guarantee a teaching of the breadth and diversity of current scientific theories in the respective subject. According to clause 3, this can only be ensured if the professional discourse on a national and, if necessary, international level, is taken into account systematically. This includes a critical reflection on various subject-related reference systems as well as a continuous analysis of the latest research.

The use of modules from Bachelor's study programmes in Master's study programmes is only allowed in exceptional cases if the partial qualification goal achieved by the successful completion of the respective module serves the achievement of the overall qualification goal of the Master's study programme in an adequate manner. This applies for both consecutive study programmes and those providing further education. On the other hand, the duplication of modules in parts of the study programme with consecutive content is to be excluded. It also has to be ruled out that modules with essentially the same content can be taken in both the Bachelor's study programme and again in the Master's study programme.

Paragraphs 2 and 3 define the subject-content criteria for the assessment of study programmes that teach the educational requirements for a teacher training qualification. With a view to the requirement of ensuring a high quality of instruction and thus of guaranteeing comparable educational opportunities (state responsibility for the school system), uniform stipulations are required here. The regulations are based on standards resolved by the Standing Conference of the Ministers of Education and Cultural Affairs in this respect.²¹

Paragraph 2 regulates the requirement of checking that the curriculum corresponds to the standards in the respective discipline and subject specific teaching methodologies as well as educational sciences that are common for all states. These result in each case

²¹ In particular: "Eckpunkte für die gegenseitige Anerkennung von Bachelor- und Masterabschlüssen in Studiengängen, mit denen die Bildungsvoraussetzungen für ein Lehramt vermittelt werden" (Key points for the mutual recognition of Bachelor's and Master's degrees in study programmes that teach the educational requirements for a teacher training qualification), resolution of the Standing Conference of the Ministers of Education and Cultural Affairs of 2 June 2005, available at http://www.kmk.org/fileadmin/Dateien/veroeffentlichungen_beschluesse/2005/2005_06_02-gegenseitige-Anerkennung-Bachelor-Master.pdf

from the requirements on content that are common for all states and possibly state-specific, on the basis of the resolutions by the Standing Conference of the Ministers of Education and Cultural Affairs in the currently applicable version.²²

Paragraph 3 determines the structural and conceptional criteria to be assessed in the accreditation and hereby adopts the stipulations made in the respective resolution by the Standing Conference of the Ministers of Education and Cultural Affairs. The exceptions for the subjects art and music that this allows for the respective teacher training course must be taken into account. Clause 2 clarifies that exceptions to clause 1 numbers 1 and 2 are also permissible for the teaching profession for vocational schools in accordance with the applicable resolutions of the Standing Conference of the Ministers of Education and Cultural Affairs of the Länder (Framework Agreement for the Teaching Profession 5), as well as in the context of measures to recruit teachers in extraordinary demand situations²³. The latter applies in particular to Master's degree programmes for career changers in one or two subjects, whose "additionality" must be documented separately in the context of the accreditation procedure. In this context, "additionality" means that such Master's degree programmes for career changers represent an additional range of courses that the respective higher education institution may offer alongside its undergraduate study programmes in the corresponding teaching professions and disciplines.

§ 14 – Academic success

In order to ensure an efficient study design and thus academic success, a continuous monitoring and adjustment of study programmes that integrates the experience of students as well as graduates is indispensable in the interests of students and graduates, though also in the interests of a sustainable use of resources and time. § 14 stipulates the criteria to be checked in this context. These comprise a closed loop with a regular review (clause 1), the introduction of measures based on the results of the review (clause

²² For educational sciences refer to: footnote 7; for specialist sciences and didactics refer to: "Ländergemeinsame inhaltliche Anforderungen für die Fachwissenschaften und Fachdidaktiken in der Lehrerbildung" (Requirements on content for specialist sciences and teaching methodologies in teacher training that are common for all Länder), resolution of the Standing Conference of the Ministers of Education and Cultural Affairs of 16 October 2008 as amended on 08 February 2024, available at https://www.kmk.org/fileadmin/veroeffentlichungen_beschluesse/2008/2008_10_16-Fachprofile-Lehrerbildung.pdf

Framework agreements for the individual teacher training courses

²³ "Maßnahmen zur Gewinnung zusätzlicher Lehrkräfte und zur strukturellen Ergänzung der Lehrkräftebildung" (Measures to recruit additional teachers and to structurally supplement teacher training), resolution of the Standing Conference of the Ministers of Education and Cultural Affairs of 14 March 2024, available at https://www.kmk.org/fileadmin/Dateien/veroeffentlichungen_beschluesse/2024/2024_03_14-Gewinnung-zusaetzlicher-Lehrkraefte.pdf; "Gestaltung von zusätzlichen Wegen ins Lehramt" (Creation of additional pathways into the teaching profession), resolution of the Standing Conference of the Ministers of Education and Cultural Affairs of 13 June 2024, available at https://www.kmk.org/fileadmin/Dateien/veroeffentlichungen_beschluesse/2024/2024_06_13-Zusaetzliche-Wege-ins-Lehramt.pdf

2) and continuous monitoring of the success as well as use of the results for continued enhancement (clause 3). Suitable monitoring measures are in particular course evaluations, workload surveys or graduate surveys, though also statistical analyses of the study and examination progress and student/graduate statistics. The measures to be introduced may be very diverse and relate to those aspects named in §§ 11 and 12 in particular. In order to guarantee an efficient and sustainable implementation, clause 4 stipulates that the parties involved are informed of the results and any measures taken, in consideration of data protection issues.

§ 15 – Diversity, gender equality and compensation of disadvantages

In order to ensure equal opportunities, it is indispensable that the higher education institution and its study programmes feature sustainable and comprehensive concepts for handling diversity, gender equality and support for students in special circumstances, and that these are also implemented in the individual study programmes. The higher education institution must indicate the types of diversity such activities focus on. § 15 stipulates that these requirements must be checked in the assessment.

§ 16 – Special regulations for joint programmes

§ 16 contains special regulations on the academic criteria for joint programmes.

Paragraph 1 clause 1 regulates the corresponding application of the academic criteria named therein. Clause 2 clarifies that only the academic criteria for study programmes (Part 3 of the decree) that are explicitly mentioned in § 16 paragraph 1 clause 1 apply for any study programmes that meet the requirements of § 10 paragraph 1 clause 1. It is not necessary to meet the other academic criteria for study programmes according to Part 3 of the decree.

In accordance with § 11 paragraphs 1 and 2, the intended learning outcomes in joint programmes should align with the corresponding level of the qualifications framework for the European Higher Education Area as well as with the applicable national qualifications framework. These must contain knowledge, skills, and competencies in the respective disciplinary field(s) (see B 2.1 and 2.2 EA). According to § 12 paragraph 1 clauses 1 and 3, the structure and content of the curriculum should be fit to enable the students to achieve the intended learning outcomes (see B 3.1 EA). The programme should be designed to correspond with the intended learning outcomes, and the learning, teaching and examination forms applied should be adequate to achieve those (see B 5.1 EA). According to § 12 paragraph 2 clause 1 and paragraph 3, it has to be ensured that the staff is sufficient and adequate (qualifications, professional and international experience) to implement the study programmes (see B 7.1 EA). The facilities provided should be sufficient and adequate in view of the intended learning outcomes, too (see B 7.1 EA). According to § 12 paragraph 4 it has to be ensured that the examination regulations and

the assessment of the achieved learning outcomes correspond with the intended learning outcomes and that these are applied consistently by the partner higher education institutions (B 5.2 EA). According to § 14, the workload and the average time to complete the programme should be monitored (B 3.3 EA).

Clause 3 regulates further requirements arising from the political agreements of the European Approach.

Number 1 also stipulates that it has to be checked that the admission requirements and selection procedures are appropriate in light of the programme's level and discipline (B 4.1 EA). The term selection procedures hereby means tests/talks and the like that are common abroad and not a selection procedure in a regulatory sense.

Number 2 determines that the programme should be able to demonstrate that the intended learning outcomes can be achieved (B 2.3 EA).

Number 3 clarifies that the respective regulations of Directive 2005/36/EC²⁴ of the European Council and the European Parliament of 7 September 2005 on the Recognition of Professional Qualifications, in the currently valid version, have to be taken into account in the field of regulated professions in particular during the conception and implementation. This applies particularly with respect to minimum agreed training conditions specified or relevant common trainings frameworks (B 2.4 EA).

Number 4 stipulates that the programme and the learning and teaching approaches applied and the support for students should be designed to respect and attend to the diversity of students and their needs (especially in view of potential different cultural backgrounds) as well as the specific needs of mobile students (see B 5.1 and B.6 EA).

Number 5 ensures that if the European Approach is applied at system-accredited higher education institutions, the formal and academic criteria applicable for joint programmes are taken into account as part of the quality management system.

Paragraph 2 extends the scope of the criteria and rules of procedure set out in § 10 paragraphs 1 and 2, § 16 paragraph 1 and § 33 paragraph 1 of the European approach to joint programmes conducted in cooperation with higher education institutions outside the European Higher Education Area if the cooperation partner outside Europe has pledged to apply these principles in a cooperation agreement with the domestic higher education institution.

²⁴ <https://www.anerkennung-in-deutschland.de/html/de/pro/eu-berufsanerkennungsrichtlinie.php>

§ 17 – Quality management concept of system-accredited higher education institutions (goals, processes, instruments) and § 18 Measures for implementing the quality management concept of system-accredited higher education institutions:

§ 17 and § 18 contain special regulations for the procedures pursuant to Article 3 paragraph 1 numbers 1 and 3 of the interstate study accreditation treaty wherever these are concerned with the verification of internal quality management systems. The central requirements on a functional quality management system in teaching are defined therein. The specific form is left up to the individual higher education institution, depending on the respective circumstances.

§ 17 – Quality management concept of system-accredited higher education institutions (goals, processes, instruments)

Paragraph 1 contains stipulations on the verification of content-related requirements for a functional quality management system in teaching. Clause 1 provides that it must be demonstrated that central teaching goals exist and are reflected in the curricula. What is requested here is a description of the higher education institution's binding teaching goals which the teaching staff, university executives, faculties, programme directors and student representatives have agreed on and that are in line with the respective profile of the higher education institution. This includes a basic clarification of the self-concept of the teaching institution, the interdisciplinary didactic guidelines and if necessary the basic qualification goals.²⁵ This can be a separate "mission statement for teaching" but it can also be included in the higher education institution's mission statement. These teaching goals must be reflected in the teaching profile of the individual study programmes, with respect to the competence goals and level. According to clause 2, the quality management system is an integral part of the overall strategy to implement the mission statement; it therefore has to fit in perfectly with the corresponding measures of the higher education institution that are aimed at further improving the quality of studies in a structured and sustainable development process. According to clause 3, proof must be provided that the quality management system is structured and implemented in such a way that it permanently, sustainably and regularly guarantees the implementation of the formal and academic criteria for the individual study programmes stipulated in Part 2 and Part 3 (§§ 11 to 15) throughout the entire accreditation cycle. Clause 4 names key elements for the quality management system for which decision-making processes, responsibilities and accountabilities have to be defined and implemented in the system, namely

²⁵ see position paper of the German Council of Science and Humanities on "Strategien für die Hochschullehre" (Strategies for teaching at institutions of higher education), April 2017, p. 16 et seq., <https://www.wissenschaftsrat.de/download/archiv/6190-17.pdf>

- Processes for the implementation, verification, further development and discontinuation of study programmes, and
- the procedure for the internal accreditation of study programmes according to the formal and academic criteria stipulated in Part 2 and Part 3 (§§ 11 to 15).

All processes and procedures must be defined with binding force and communicated throughout the entire higher education institution. Clause 5 clarifies that a system-accredited higher education institution must include provisions on validity periods and deadlines in its quality management system. The periods defined in § 26 are upper limits. By contrast, the reference to § 27 indicates that, in justified individual cases, a period of more than twelve months can be defined and that the period may be extended to allow for conditions to be fulfilled. Clause 6 clarifies that a system-accredited higher education institution may define shorter validity periods and deadlines for accreditation and for fulfilling conditions. Clause 7 stipulates that system-accredited higher education institutions that wish to accredit clusters of study programmes must define internal procedures in their quality management system concerning the appropriate structure and composition of such clusters.

Paragraph 2 regulates the formal requirements on the quality management system of the higher education institution and is based on the ESG²⁶. This includes

- the development of the quality management system with the involvement of all member groups in the higher education institution, i.e. the academic and non-academic staff and students as well as the involvement of external expertise, for example from professional practice, of (international) representatives of other higher education institutions, of agencies with experience in quality management at higher education institutions according to standard 1.1 of the ESG for the development of the quality assurance strategy (clause 1);
- mechanisms to ensure the independence of quality assessments, in particular during the selection and appointment of experts and during internal decision-making processes according to standard 2.4 of the ESG with respect to requirements on peer review experts (clause 2, 1st semi clause);
- the definition of regular processes to deal with conflicts and the establishment of an internal complaints system, in particular for “internal” accreditation decisions according to standard 2.7 of the ESG with respect to complaints and appeals (clause 2, 2nd semi clause);
- the existence of closed loops that ensure in a structured, transparent, sustainable and reliable way that the quality of study programmes is permanently improved

²⁶ See footnote 11

according to standard 1.9 of the ESG with respect to ongoing monitoring and periodic review of the study programmes (clause 3, 1st semi clause);

- the involvement of all areas that are directly relevant for teaching and learning (including student counselling, application, entrance and admissions processes), examination administration, teaching (including any cooperation projects), examination system, student services, staff development, higher education didactic continuous education) (clause 3, 2nd semi clause);
- appropriate and sustainable resources and equipment to implement the measures and processes stipulated in the quality management system. This includes in particular adequate staff for the conception, implementation and administration of the processes in the quality management system and appropriate IT equipment, which is of particular importance for the provision of informative data, see § 18 paragraph 3;
- regular checks of the efficacy of the quality management system with reference to the quality of study programmes and its further development based on a continuous evaluation of the processes created in the system and a data-based check of the results (clause 4).

§ 18 – Measures for the implementation of the quality management concept of system-accredited higher education institutions

Paragraph 1 regulates the key instruments of the quality management system. According to clause 1 this comprises regular assessments of the study programmes and those areas that are relevant for teaching and learning (see § 17 paragraph 2 clause 3, 2nd semi clause), internal and external students of the higher education institution, academic experts from outside the higher education institution, representatives from professional practice and graduates. These ensure that assessments within the scope of the internal quality management system are implemented such that impetus is permanently given to improve the quality. The regular involvement of external expertise is indispensable for this. According to standard 1.9 of the ESG (ongoing monitoring and periodic review of the study programmes) the following aspects should be taken into particular account in the assessments: timeliness of the study programmes, the changing needs of society, the students' workload, progression and completion, the effectiveness of procedures for assessment of students, the students' expectations and needs, the learning environment and support services. The results should be made accessible to the university public in a suitable manner, in consideration of data protection issues, so as to establish the necessary transparency and acceptance. The second semi sentence of clause 1 clarifies that the higher education institution can itself determine whether the formal criteria are met based on its quality management system. In contrast, the groups named in § 18 paragraph 1 clause 1 must be involved when assessing the academic criteria.

Clause 2 demands that if any action has to be taken, appropriate measures will be initiated and their implementation has to be checked.

Paragraph 2 makes it clear that for the internal accreditation of study programmes, the cooperation and approval requirements regulated in § 25 paragraph 1 clauses 3 to 5 with regard to teacher training programmes, teacher training programmes with the combination subject Protestant or Catholic theology/religion, Protestant-theological study programmes as a qualification for the office of pastor, and other Bachelor's and Master's study programmes with the combination subject Protestant or Catholic theology have to be taken into account. Insofar as the internal procedure stipulates formal reports, the approval requirement pursuant to § 24 paragraph 3 applies accordingly.

Paragraph 3 ensures that the data necessary to establish and implement the quality management system and to measure the level of implementation and effect of the measures that have been introduced (see paragraph 1) is collected throughout the higher education institution on a regular basis. The following data may be of particular relevance depending on the profile of the higher education institution and the quality management system: Key performance indicators, profile of the student population, student progression, success and drop-out rates, students' satisfaction with their programmes, learning resources and student support available, career paths of graduates. During data collection, care must be taken to ensure that the affected party in each case (academic and non-academic staff as well as students) are involved in the supply and evaluation of the data and in the planning of follow-up activities (see also standard 1.7 of the ESG, information management).

Paragraph 4 summarises the documentation and publication obligations of system-accredited higher education institutions for internal accreditation decisions in a single provision. Clause 1 ensures that the higher education institution comprehensively documents its internal accreditation procedures – as well as the measures taken if action is required – and appropriately informs higher education institution members, maintaining bodies and its home state to provide the necessary degree of transparency. Data protection issues pursuant to § 29 clause 2 have to be taken into account here. Clause 2 regulates the requirements concerning the reporting duties of system-accredited higher education institutions towards the public and the Accreditation Council. The aim is to account for the legitimate interest of the public, such as prospective students, students and employers, to obtain relevant information about quality assurance for the study programmes. The burden on system-accredited higher education institutions due to reporting obligations is to be reduced through the 2024 amendment of the specimen decree. In order to meet the publication requirements, a higher education institution must comply with the following minimum standards: It records the data for (re)accreditation of the study programme in the Accreditation Council's database. In addition to basic

information on the study programme including the programme profile, this includes the accreditation period and, in particular, any conditions, the status of fulfilment of the conditions, the names of the experts involved in the internal accreditation procedure, taking data protection concerns in accordance with § 29 clause 2 into account, as well as a brief summary of the quality assessment. Optionally, higher education institutions may provide additional documents (e.g. expert reports, reasons for accreditation decisions, description of the higher education institution's internal procedure for awarding the Accreditation Council's seal) for publication in the Accreditation Council's database.

§ 19 – Cooperations with non-university institutions

§ 19 regulates the conditions under which a higher education institution can carry out a cooperation with non-university institutions with respect to a study programme. A characteristic of such cooperation projects with respect to study programmes is that study programmes, or programmes recognised as being equivalent, are carried out partly or wholly outside the higher education institution awarding the degree and that the cooperating training provider is in an asymmetric, subordinate relationship to the higher education institution awarding the degree. § 22 paragraph 1 of this decree provides that the applicant must always be the higher education institution in the case of such cooperations. Cooperations with joint scientific institutions for several higher education institutions are not covered by the regulatory content of § 19. Clause 1 makes it clear that the formal and academic criteria pursuant to Part 2 and 3 of this decree are also applicable for such study programmes. Clause 2 lists the decisions that may not be delegated to a cooperating training provider in accordance with the final academic responsibility of the higher education institution for the study programme. The criterion “Procedure to select the teaching staff” hereby relates primarily to the professional teaching staff. The determination of the standardised criteria is hereby based on the corresponding recommendation of the German Science and Humanities Council “Bestandsaufnahme und Empfehlungen zu studiengangsbezogenen Kooperationen: Franchise-, Validierungs- und Anrechnungsmodelle” (Review and recommendations for cooperation projects with respect to a study programme: franchise, validation and credit-transfer model) from 2017²⁷. Clause 2 is not applicable to cooperation projects with state seminars in the second phase of teacher training or phases of practical experience in schools in teacher training programmes.

§ 20 – Cooperations between higher education institutions

§ 20 regulates the cooperations with respect to study programmes between higher education institutions, unless the special regulations in §§ 10, 16 and 33 of this decree are applicable at the request of the domestic higher education institution or higher education institutions in the case of joint programmes.

The catalogue of reservations for non-university cooperation partners in § 19 clause 2 does not apply in principle for cooperations between higher education institutions. The higher education institution(s) awarding the degree do, however, bear responsibility for the implementation and quality of the programme concept. The type and scope of the cooperation must be documented in a cooperation agreement between the higher education institutions.

²⁷ <https://www.wissenschaftsrat.de/download/archiv/5952-17>

The higher education institution(s) awarding the degree is/are the applicant(s) within the meaning of § 22 paragraph 1 of this decree.

If a system-accredited higher education institution carries out such a cooperation with respect to a study programme, it can award the Accreditation Council's seal for the study programme, provided it awards a higher education degree itself and guarantees the implementation and quality of the programme concept.

It follows from paragraph 3, that higher education institutions can also cooperate on the level of their quality assurance systems to facilitate the procedure and that the organisational combination of several procedures is admissible; a coordinated application is required from the cooperating higher education institutions pursuant to paragraph 3 clause 2. This option is particularly attractive for smaller or even private higher education institutions. A joint use of quality assurance service facilities, for example, is in principle conceivable to optimise the use of resources. However, a decision on the system accreditation has to be taken for each cooperating higher education institution. The agency's proposal for a decision shall be prepared accordingly.

§ 21 – Special criteria for Bachelor training course at colleges of cooperative education

Paragraph 1 clauses 1 and 2 stipulate the requirements that persons have to satisfy if they wish to work as teachers (main job) at colleges of cooperative education. Further requirements with respect to ensuring the quality of teaching and staff are listed in clauses 3 and 4: 40 percent of teaching at the college of cooperative education must be provided by teaching staff (main job). Professors at universities of applied science or universities who teach part-time at a college of cooperative education long term will be credited to the quorum for the share of full-time teaching staff on the course. All requirements are based on the aforementioned resolution of the Standing Conference of the Ministers of Education and Cultural Affairs of 15 October 2004²⁸ and must also be assessed in the accreditation of study programmes at colleges of cooperative education.

Paragraph 2 determines the requirements on persons who wish to work part-time as teachers at colleges of cooperative education so as to ensure the quality of teaching. They are also based on the aforementioned resolution of the Standing Conference of the Ministers of Education and Cultural Affairs of 15 October 2004. Teaching staff (main job) will also be allowed to teach the defined courses by way of exception.

Paragraph 3 regulates further requirements on study programmes at colleges of cooperative education that have to be determined in the accreditation resulting from their particular staff structure and the specific nature of the study programme at various places

²⁸ See footnote 2

of learning. These too are based on the aforementioned resolution of the Standing Conference of the Ministers of Education and Cultural Affairs of 15 October 2004.

Part 4 – Rules of procedure for the programme and system accreditation

§ 22 – Decision of the Accreditation Council; award of the seal

Paragraph 1 regulates the key procedural elements for the programme and system accreditation. Divergent from the procedure used before the interstate study accreditation treaty entered into force, in which the respective agency decided on the accreditation, the interstate study accreditation treaty stipulates that the accreditation procedure be split into two: According to Article 3 paragraph 2 clause 1 number 1 of the interstate study accreditation treaty, the higher education institution has to apply to the Accreditation Council for the accreditation, on the basis of which this decides on the accreditation through an administrative act pursuant to Article 3 paragraph 5 clause 4 of the interstate study accreditation treaty. The administrative procedure therefore begins at the time the higher education institution submits its application to the Accreditation Council.

According to Article 3 paragraph 5 of the interstate study accreditation treaty, the Accreditation Council's decision comprises the determination of compliance with the formal criteria pursuant to Article 2 paragraph 2 of the interstate study accreditation treaty on the one hand and the academic criteria pursuant to Article 2 paragraph 3 of the interstate study accreditation treaty on the other. If these criteria are fulfilled, the accreditation is to be pronounced. This is a mandatory administrative act within the meaning of § 35 of the German Administrative Procedure Act (VwVfG).

The Accreditation Council checks compliance with the formal criteria on the basis of a formal report. Compliance with the academic criteria is verified by the Accreditation Council on the basis of a review report. Since these are recommendations by the agency in each case, the Accreditation Council is not bound by these assessments.

Paragraph 2 makes it clear that the Accreditation Council's decision takes the form of an electronic notice. Administrative acts must always be justified pursuant to § 39 VwVfG. Clause 2 is therefore declaratory. Pursuant to Article 3 paragraph 4 clause 3 of the interstate study accreditation treaty, any deviations between the Accreditation Council's decision and the recommendations in the report on the academic criteria must be mentioned in the justification of the notice in particular.

Paragraph 3 takes up Article 3 paragraph 4 of the interstate study accreditation treaty, according to which the higher education institution is to be given the opportunity to submit a statement before the final decision. In order to avoid any delays in the procedure, the statement to be obtained by the Accreditation Council is restricted in accordance with administrative procedural law to those cases in which the Accreditation Council intends

to differ greatly from the recommendation in the report. The higher education institution is free to enclose a statement with the agency's report within the scope of the application. This honours the right to be heard as manifested in Article 3 paragraph 4 of the interstate study accreditation treaty.

Besides, clause 2 stipulates a period of one month to submit the statement. The deadline helps to accelerate the procedure.

Paragraph 4 stipulates that the Accreditation Council awards the accredited study programme or quality assurance system its seal in the event of a successful accreditation. This seal serves transparency.

In the event of a system accreditation, the higher education institution is entitled to award itself the Accreditation Council's seal for the study programmes which it assesses on its own and according to the rules of accreditation.

A conditional accreditation does not lead to a postponement of the award of the seal. This ensures that in the event of conditions, a careful distinction must be made between shortcomings that do not affect the accreditation decision as such and serious deficits that lead to a refusal of the accreditation.

Paragraph 5 excludes the study programmes named in paragraph 5 from the possibility of inclusion in the system accreditation and in alternative accreditation procedures. In principle, this kind of inclusion appears conceivable in consideration of the respective ecclesiastic rights of participation but is disproportionately complicated from a procedural point of view. This applies in particular to the qualification of the role of the Agency for Quality Assurance and Accreditation of Canonical Programmes of Studies in Germany (AKAST) in such a procedure.

The approval requirement of the responsible ecclesiastic office for the Accreditation Council's decision on full-time and part-time study programmes in theology takes into account the fact that the review report is of an advisory nature and is not binding for the Accreditation Council. It applies analogously for decisions of the Accreditation Council pursuant to § 26, § 27 and § 28.

§ 23 – Documents to be submitted

Paragraph 1: A self-evaluation report from the higher education institution and the accreditation report commissioned by the higher education institution from an agency authorised by the Accreditation Council, consisting of a formal report and a review report, are to be enclosed with the application for accreditation. The self-evaluation report is required pursuant to Article 3 paragraph 2 number 2 of the interstate study accreditation treaty.

During the initial system accreditation, the formal report relates to the proof that at least one study programme has passed through the quality management system (section 3); with a system reaccreditation to the proof that all Bachelor's and Master's study programmes have passed through the quality management system at least once (section 4).

Paragraph 2: Foreign agencies can in principle be authorised by the Accreditation Council pursuant to Article 5 paragraph 3 number 5 of the interstate study accreditation treaty. Accreditation reports commissioned from foreign agencies must be submitted to the Accreditation Council together with a German translation if they have not been drawn up in German. This aids procedural economy in the Accreditation Council.

Paragraph 3 stipulates the obligation to submit an electronic application in the interests of a speedy and smooth procedure as soon as the Accreditation Council has created the corresponding requirements.

§ 24 – Commissioning an agency; accreditation report; site visit

Paragraph 1: The basis for the Accreditation Council's decision in accordance with Article 3 paragraph 2 clause 1 number 4 of the interstate study accreditation treaty is an accreditation report that the higher education institution has commissioned in advance from an agency authorised by the Accreditation Council.

The agency is commissioned under private law pursuant to Article 3 paragraph 2 clause 2 of the interstate study accreditation treaty.

Clause 2 regulates the peculiarity that in the case of full-time study programmes in Catholic theology, the assessment must be prepared by the Agency for Quality Assurance and Accreditation of Canonical Programmes of Studies in Germany (AKAST) in accordance with the named "Key Points"²⁹. According to Article 5 paragraph 3 number 5 of the interstate study accreditation treaty, the Accreditation Council authorises the agencies according to the requirements indicated therein. In the case of agencies listed with the EQAR (European Quality Assurance Register for Higher Education), it is "refutably assumed" that they satisfy these requirements. AKAST is listed in the EQAR. The Accreditation Council had already approved AKAST for the German region before it was listed in EQAR. Thus, the agency effectively works as a quality assurance agency in its field. Affirmative reference is made to this accreditation by the Accreditation Council in the text of the decree. However, this does not rule out a renewed authorisation after an appropriate period of time.

²⁹ See footnote 4

Paragraph 2: The programme and system accreditations are carried out pursuant to Article 3 paragraph 2 clause 1 number 2 of the interstate study accreditation treaty on the basis of a self-evaluation report from the higher education institution that must contain details of at least the quality goals of the higher education institution as well as the formal and academic criteria for the accreditation. The student body must be involved in the preparation of the self-evaluation report. The report must be placed at the disposal of the agency – as was normal in the former procedure – and later submitted to the Accreditation Council.

The formal and the academic criteria must be listed separately in the self-evaluation report. The report should not exceed 20 pages for the programme accreditation or 50 pages for the system and cluster accreditation. This should make the procedure simpler and more efficient.

Paragraphs 3 and 4: Paragraph 3 stipulates that the formal report shall be prepared by the commissioned agency. This is normally the task of the office of the agency. This discharges the experts on the review panel from assessing purely formal criteria. The review panel is responsible for drawing up the review report on the academic criteria. To this end, it receives the formal report by way of preparation. Since the formal and the academic criteria may be inter-related, the formal report is not binding for the review panel.

In the case of teacher training programmes as well as fully or partly theological study programmes the formal report requires the approval of the competent authority in each case, before it is passed on to the Accreditation Council. This takes into account the resolution of the Standing Conference of the Ministers of Education and Cultural Affairs of 2 June 2005 “Key points for the mutual recognition of Bachelor’s and Master’s degrees in study programmes that teach the educational requirements for a teacher training qualification” (so-called Quedlinburg resolution)³⁰ as well as the named “Key Points”.

Both the formal report and the review report contain suggestions on the determination of compliance with the decisive criteria for the Accreditation Council, though these are not binding. The accreditation report thus has the character of an expert opinion.

The stipulations relating to the formal report and review report do not contain any regulations on possible conditions because these should only come into question in exceptional cases in the future. If in assessing the formal criteria the agency discovers that these have not been fulfilled, the higher education institution must be informed immediately so that it can terminate the accreditation procedure if a positive accreditation decision is not to be expected from the Accreditation Council. The report may contain

³⁰ See footnote 21

proposals for conditions concerning academic criteria that are limited to those shortcomings that do not justify a negative accreditation decision and can be rectified within a certain period of time.

There are no further stipulations on the content of the review report. This does not rule out the possibility of the review report containing recommendations for enhancing the quality of the study programme and/or the quality management system, for example, which are aimed at improving the quality above and beyond the standards on which the accreditation by the Accreditation Council is based and therefore cannot form the basis for any conditions. Furthermore, the review report can also name best-practice models for the study programme. By publishing the review report – and if necessary monitoring by the Accreditation Council – these models can serve as an example for other higher education institutions. Both can therefore contribute to the enhancement of quality in the future.

One requirement for a speedy processing of applications by the Accreditation Council is that the documents to be submitted follow a set structure. The decree transfers the task of developing a standardised structure for review reports and formal reports to the Accreditation Council.

In order to keep the workload for the agencies and the Accreditation Council low, the scope of the review report is limited, whereby different specifications apply for programme, cluster and system accreditations.

Paragraph 5: One part of the assessment is a site visit of the higher education institution by the review panel which is usually an in-person site visit, during which the review panel is able to get a first-hand impression of the circumstances of the study programme to be accredited as well as to talk to the responsible professors, to students and the higher education institution's administration. With a view to the obligatory random samples during the system accreditation to verify the relevant features of the programme design, the delivery of study programmes and quality assurance as well as the consideration of criteria for the accreditation of regulated study programmes, if necessary, two appointments are usually needed for the system accreditation procedure. Digital or hybrid formats and elements are also permitted. However, there will be no deviation from the principle of in-person site visits. The quality of the assessment should be the clear priority when the procedure is determined. A deviation from the standard approach of an in-person site visit may be considered in particular in cases of force majeure, in which an in-person site visit is impossible for reasons beyond the responsible individuals' control (e.g. bad weather events, strike, pandemic).

In the case of new study programmes that are being developed by the higher education institution and not yet on offer, the review panel can unanimously waive the site visit if

this has no added value over the assessment of the academic criteria on the basis of the documents (concept accreditation). The same applies in the case of a reaccreditation. There may also be instances in which an in-person site visit may not be necessary in a particular case due to special circumstances or characteristics relating to the object of accreditation, provided that this does not affect the quality of the assessment. This includes, for example, assessments of online or distance learning study programmes with a digital campus or assessments with experts who could not otherwise be involved. Hybrid site visits are also an option in these cases. Purely financial reasons are, however, not sufficient grounds for an exception. Deviations from the standard approach of an in-person site visit must be duly substantiated and will be reviewed by the Accreditation Council as it assesses the application.

Paragraph 6 establishes the option to add a “quality loop” or “quality improvement loop” between higher education institutions and agencies. This additional step gives higher education institutions the opportunity to make improvements or adjustments in the case of any shortcomings relating to the subject of the accreditation before the application is submitted to the Accreditation Council. Implementation of this additional step must be documented in the accreditation report in a comprehensible manner.

§ 25 – Composition of the expert committee; requirements on the experts

Paragraph 1 regulates the minimum size of the review panel and its composition for a programme accreditation. This means that larger review panels are possible for more complicated procedures – such as cluster accreditations – whereby the ratio between the represented groups must be maintained.

Article 4 paragraph 3 clause 2 of the interstate study accreditation treaty provides that the majority of the members of the review panel must be professors. This implements the requirement of the interstate study accreditation treaty, that professors must have the majority of votes (if necessary through weighting) in the committee responsible for the assessment. Moreover, Article 3 paragraph 2 clause 1 number 3 of the interstate study accreditation treaty is substantiated and implemented with respect to the persons to be involved in the accreditation.

Clause 3, 1st semi clause, determines with respect to the particularities of study programmes that teach the proficiency for admittance to the preparatory service for a teacher training qualification, that a representative of the highest state authority responsible for the school system shall replace a representative from professional practice. This safeguards the expertise of the panel without this being further enlarged. The regulation defines minimum standards. The states can stipulate further participation requirements.

When assessing the study programmes named in clause 3, 2nd semi clause and clause 4, the responsible ecclesiastic office must be involved. The determination of this regulation hereby follows the principle that on the whole, work in the service of the church is the most frequently chosen profession in case of full-time and part-time study programmes in theology. It is therefore obvious that a representative with professional ecclesiastic experience be present here. Public service is usually the most common professional perspective for teachers of religion. The representative from professional practice in this case will thus be from the highest state authority responsible for the school system, as for all other teacher training courses. The representative of the church then joins the review panel as a further member.

All of the experts must be from a discipline that is close to the study programme to be accredited.

Clause 5 determines that in the case of teacher training programmes and the named study programmes in theology, the submission of the review report requires the approval of the corresponding representative(s). This takes into account the resolution of the Standing Conference of the Ministers of Education and Cultural Affairs of 2 June 2005 “Key points for the mutual recognition of Bachelor’s and Master’s degrees in study programmes that teach the educational requirements for a teacher training qualification” (so-called Quedlinburg resolution)³¹. Since the interstate study accreditation treaty transfers the accreditation decision to the Accreditation Council, the approval requirement, without which the report cannot be presented to the Accreditation Council, also corresponds to the intention of the named “Key Points ...”³² for full-time study programmes in Catholic religion, since this means that the accreditation decision can only be taken after a positive assessment by AKAST and thus cannot be taken against its vote.

Paragraph 2: The composition of the review panel for a system accreditation in principle corresponds to that for a programme accreditation. However, the minimum number of experts is higher in view of the complexity and workload for a system accreditation. There are no professional requirements on the experts because no study programmes are assessed in a system accreditation, rather the higher education institution’s own quality assurance system. Consequently, the experts do not have to be from a profession related to a specific field.

Paragraph 3 clause 1 should ensure that professors have the majority of votes in review panels whose size exceeds the minimum size named in paragraph 1 and 2. This takes into account Article 3 paragraph 2 number 5 of the interstate study accreditation treaty,

³¹ See footnote 21

³² See footnote 4

according to which the accreditation procedure takes place with the participation of this group.

Clauses 2 and 3 regulate that the majority of persons on the review panel must already have some experience with the respective type of accreditation. This serves the efficiency of the procedure and raises the quality and acceptance of the assessment.

Paragraph 4: The review panel is assembled by the commissioned agency. When appointing the individual experts, the agencies are bound by the procedure to be developed by the German Rectors' Conference in accordance with Article 3 paragraph 3 clause 3 of the interstate study accreditation treaty.

Paragraph 5: The interstate study accreditation treaty assumes external and independent experts in Article 3 paragraph 2 clause 1 number 3. According to numbers 1 and 2, persons who work or study at the higher education institution whose study programmes or quality management system are to be assessed, are excluded from cooperating in a review panel. Furthermore, the regulations with respect to a conflict of interests that are common in science apply for the experts pursuant to number 3, in particular those of the German Research Foundation (DFG).

Paragraph 6: The higher education institution will be informed of the composition of the review panel by the agency before it appoints the experts and has the opportunity to comment on this. This greatly increases the acceptance of the review panel and the assessment within the higher education institution as well as the study programme to be accredited.

§ 26 – Period of validity for the accreditation; extension

Paragraph 1: The period of validity for the initial accreditation is eight years in every case. In a legal sense, this is a time limitation within the meaning of § 36 VwVfG. The accreditation periods of five years (programme accreditation) and six years (system accreditation) that were common before the specimen decree was adopted are hereby standardised and extended considerably. This should reduce the workload for and costs of the accreditation. Clause 1 determines the beginning of the period of validity as the start of the semester or trimester in which the accreditation decision is announced so as to avoid any disadvantages for students who complete their study programme in the semester or trimester in which the accreditation decision is taken. This also synchronises the semester or trimester with the accreditation period.

Clause 2 regulates cases of concept accreditation, in which the study programme has not yet begun at the time the accreditation decision is announced. With a concept accreditation, the accreditation term starts at the beginning of the semester or trimester in which the study programme is offered for the first time, though at the latest at the

beginning of the second semester or trimester following the announcement of the accreditation decision. This means that an accreditation decision remains up-to-date and that there is no disproportionately long reaccreditation term on account of a delayed start for a study programme.

Paragraph 2 clause 1 defines the term reaccreditation as a further accreditation that follows the period of validity of the initial accreditation with no interruption. The period of validity of the reaccreditation has also been set at a standard eight years, while a period of seven years for a programme accreditation and eight years for a system accreditation were common before the specimen decree was adopted. The waiver of different reaccreditation periods helps simplify matters and also takes account of the interest of higher education institutions in legal certainty as well as the goal of continuous and reliable quality assurance. If the application is submitted on time, i.e. before expiry of the accreditation period, the period is automatically extended for the duration of the administrative procedure, i.e. until the Accreditation Council has announced its decision. This is done to avoid accreditation gaps and to protect graduates. Clause 3 ensures that the accreditation decision becomes effective within a reasonable period of time, if an application was submitted long before the end of the accreditation period.

Paragraph 3 clause 1 regulates the options for renewing the period of validity of the accreditation. Number 1 contains provisions for the situation in which a higher education institution aspires to a cluster accreditation or wishes to switch from a programme accreditation to a system accreditation. In these cases, the higher education institution should be able to concentrate on preparing the cluster or system accreditation and not have to worry about the programme accreditation of study programmes that will be covered by the planned cluster or system accreditation. Number 2 introduces the possibility of period extensions in programme and system accreditation in justified exceptional cases. This reduces the burden on higher education institutions in the event of extraordinary circumstances that are wholly or partly beyond their control. Reasons for such case-by-case decisions include disasters and exceptional national or international situations (pandemics, flood disasters, etc.). Predictable personnel or structural changes relating to the study programme or in administration are not grounds for an extension. Extensions of the accreditation period cannot be granted cumulatively (e.g. extension due to a cluster accreditation followed by an extension for preparing a system accreditation) but for a maximum of two years in total. If there are plans to apply for cluster accreditation, the number of study programmes whose accreditation period is to be extended should be in reasonable proportion to the number of study programmes whose accreditation period is decisive for the new accreditation period to be set. This generally means: "adaptation of the minority to the majority."

If the accreditation period for an accredited study programme expires at a point in time when the higher education institution has already applied to the Accreditation Council for system accreditation, the period of validity can be prolonged for the duration of the administrative procedure in the Accreditation Council plus one year (clause 2). The possible extension by a further year is necessary to give the higher education institution time for an assessment of the corresponding study programmes according to the quality management system it has developed before the seal is awarded in the event of a switch to a system accreditation.

Clause 3 deals with the special situation whereby an accredited study programme is not continued by the higher education institution beyond the accreditation period. Since a reaccreditation for an expiring study programme would lead to disproportionately high costs, the Accreditation Council can extend the period of validity of the accreditation until the students have completed their study programme.

Furthermore, since the introduction of the specimen decree, it is no longer an option to extend the period of validity of an initial accreditation because a reaccreditation report has not been prepared in due time. The periods of validity for accreditations have been standardised, so there is no need for a derogation if the agency is commissioned in due time. Moreover, compliance with deadlines within the scope of quality assurance measures should be acceptable.

§ 27 – Conditions

The higher education institutions have a right to accreditation on the basis of the interstate study accreditation treaty if and insofar as the subject of the accreditation satisfies the formal and academic accreditation criteria. The accreditation is therefore a mandatory administrative act. In accordance with Article 9 paragraph 1 clause 2, 2nd semi clause of the interstate study accreditation treaty, an ancillary clause (proviso, reservation of subsequent revocation, condition, reservation of the subsequent imposition of a condition) may be added if its aim is to ensure that the statutory requirements of the accreditation are satisfied.

Paragraph 1 stipulates that a deadline of usually twelve months should be set to fulfil a condition. This period takes into account the fact that changes to study programmes or quality management systems are often very time-consuming. In special cases that require the performance of an appointment procedure, for example, a deadline extension may be granted at the request of the higher education institution (paragraph 2).

Paragraph 3 makes it clear that the fulfilment of the condition has to be proven to the Accreditation Council that imposed the condition and not the agency commissioned to prepare the accreditation report. The agency does not have to confirm that the condition

has been fulfilled; this has to be verified by the Accreditation Council itself. This serves to reduce costs.

§ 28 – Duty of disclosure of any changes

Paragraph 1: Since the accreditation is a permanent administrative act and changes may arise with respect to the formal or academic criteria during the period of validity of the accreditation, substantial changes must be reported to the Accreditation Council immediately. Substantial changes can in particular be changes related to the name of the study programme, standard periods of study, degrees, conception, qualification goals, profile and content of the study programmes. A substantial change may also be given in the event of the creation of specialisations that lead to substantially different competences of the graduates or if an identical curriculum is offered in various teaching formats, at different places of learning or by different partners.

The duty of disclosure allows the Accreditation Council to review the up-to-dateness of its accreditation decision and in the event of substantial changes, to adjust this to the new circumstances wherever necessary (e.g. by issuing a subsequent condition or revoking the accreditation decision).

Paragraph 2 makes it clear that a notification of change by the higher education institution obliges the Accreditation Council to verify whether the substantial change affects the accreditation decision. The subsequent decision of the Accreditation Council is a declaratory administrative act that can be contested separately by the higher education institution. If the accreditation decision is revoked, it is appropriate to submit an application for a renewed accreditation. The clarification serves to ensure legal certainty.

§ 29 – Publication

Article 3 paragraph 6 clause 2 of the interstate study accreditation treaty stipulates that the decisions of the Accreditation Council and the reports be published in a suitable manner. This is specified in § 29 clause 1, whereby in view of the requirements of the European Standards and Guidelines, the publication requirement covers not only the accreditation decision but also, and expressly, the accreditation report – and therefore the review report and formal report.

The publication on the website of the Accreditation Council allows timely and suitable access by interested students, applicants, academics and authorities.

Clause 2 regulates the treatment of personal data. This includes in particular the names of the experts.

§ 30 – Cluster accreditation; partial system accreditation

Paragraph 1: The former possibility of bringing together several study programmes in a cluster accreditation for a programme accreditation is retained. However, no more than ten study programmes should be assessed by a review panel so as to guarantee practicability and to ensure the quality of the procedure. Several clusters should be formed if more than ten study programmes with a high affinity on subject-level are up for a programme accreditation. Because this is a regulation which must be followed as a rule only, exceptions for large clusters are only possible in atypical constellations provided the quality of the assessment can be retained. Reference is made to the possibility of adjusting the size of the review panel to the cluster accreditation in accordance with § 25 paragraph 1.

Common structural features of several study programmes alone do not constitute an affinity on subject-level.

Clause 2 makes it clear that each study programme has to satisfy the academic criteria and this must be verified separately. This applies in any case for the formal criteria pursuant to Part 2 and the formal report.

Paragraph 2 sentence 1 introduces an advance approval procedure which applies to clusters of more than four study programmes to be carried out by the Accreditation Council, in order to create legal certainty for the overall procedure; this previously optional step was added in the 2024 amendment of the specimen decree. Approval must be obtained by the higher education institution before submitting the application for accreditation and should be granted as soon as possible before the start of the accreditation procedure to ensure a smooth process. The aim is to ensure an appropriate assessment at the level of individual study programmes, even in the case of larger clusters, and to guarantee high-quality accreditation procedures as a result. The necessity to perform follow-up assessments should therefore be avoided. § 30 paragraph 1 clause 3 provides that clusters should comprise no more than ten study programmes, however, exceptions from this rule are still possible.

Clusters comprising two or more combined programmes require prior approval of the Accreditation Council in accordance with clause 2, as a large number of partial study programmes whose academic affinity may diverge greatly from one another, must be assessed in the case of combined study programmes.

Paragraph 3 allows the system accreditation of a study-related organisational entity of a higher education institution in exceptional cases (e.g. advanced training institutes or individual faculties). The requirements in clause 2 are cumulative. The main goal of a partial system accreditation is to make it easier for higher education institutions to begin

with a system accreditation. Several, permanent partial system accreditations within a higher education institution are not the goal of the regulation. This is why the quality management system of the entity must be embedded in the higher education institution (clause 2 number 2).

On § 31 – Random samples

Paragraph 1: The review panel carries out random sampling during the system and partial system accreditation.

Paragraph 2: According to number 1, the random sample should demonstrate on the basis of a study programme to be determined by the review panel that the quality management system guarantees a consideration of all formal and academic criteria during the internal accreditation by the higher education institution. Furthermore, according to number 2, the random sample relates to formal and academic criteria that are to be determined by the review panel, compliance with which must be guaranteed by the quality management system under assessment.

Paragraph 3: The rules of involvement from § 25 paragraph 1 apply accordingly for random samples. Please refer to the substantiation therein.

Part 5 – Rules of procedure for special types of study programmes

§ 32 – Combined study programmes

Paragraph 1 determines the features of a combined study programme. This is made up of two or more subjects. Students and applicants can choose between several possible combinations. The subjects in a combined study programme are partial study programmes within the meaning of this decree.

Paragraph 2 makes it clear that the subject of the accreditation is the combined study programme. The criteria for accreditation (Parts 2 and 3 of this decree) are to be applied to the combined study programme as such, i.e. at the discipline level (i.e. partial study programmes in the sense of § 32 paragraph 1) rather than with regard to any elective modules. This applies in particular for the requirements pursuant to § 12. The higher education institution must have a coherent concept for the entirety of the combinatorial offer that integrates the qualification goals of the partial study programmes. Academic feasibility must generally be ensured for all combinations possible; the criteria defined in § 12 paragraph 5 must be used to assess academic feasibility. "Avoidance of overlaps of courses and examinations in most cases" must, for example, be ensured.

In accordance with paragraph 3, further partial study programmes can be included in the accreditation of a combined study programme at a later date. The aforementioned

requirements apply accordingly. The accreditation period for the combined study programme remains unchanged.

Paragraph 4 regulates the design of the accreditation certificate for combined study programmes. As for the rest, the rules of procedure pursuant to part 4 apply in accordance with paragraph 5.

§ 33 – Joint programmes

The regulation contains particular rules of procedure for joint programmes. It is hereby based on the political agreements on the European Approach (EA). Accordingly, the accreditation decision of the Accreditation Council is designed here as a decision to recognise an assessment by an agency registered with the EQAR (see A 1st bullet EA). Such a decision is only required in procedures pursuant to Article 3 paragraph 1 number 2 of the interstate study accreditation treaty (programme accreditation) since the application of criteria relevant for joint programmes with system-accredited higher education institutions is ensured by § 16 number 5 of this decree (see A 2nd bullet EA).

Since the European Approach is not applicable for fully and partly theological study programmes, the general regulations apply for joint programmes in these study programmes.

Paragraph 1 clause 1 stipulates that the assessment by an agency registered with EQAR can be made at the request of the cooperating higher education institution and that this decision can form the basis for an accreditation decision at the request of the domestic institution(s) of higher education. It is hereby irrelevant that the agency has been authorised by the Accreditation Council. If an agency authorised by the Accreditation Council is active, this is outside the field of work for which it has been authorised by the Accreditation Council. The scope is also restricted to study programmes in which only domestic higher education institutions and higher education institutions from participating countries in the European Higher Education Area cooperate.

Clause 2 demands proof of compliance with the criteria for joint programmes as set out in § 10 and § 16 of this decree as a requirement for a positive accreditation decision. It is not necessary to fulfil the formal criteria for study programmes that are not explicitly mentioned in § 10 paragraph 2 and the academic criteria for study programmes that are not mentioned in § 16 paragraph 1 clause 1. Clause 2 also sets out the requirements on the assessment procedure.

Number 1 contains a duty to notify the Accreditation Council before the performance of a corresponding procedure. This should ensure that before the start of the procedure, it is checked if the specific rules for joint programmes apply.

Numbers 2 to 5 correspond to the requirements of the European Approach regarding procedures for the external quality assurance of joint programmes. This includes a self-evaluation report that is submitted jointly by the cooperating higher education institutions. This must contain comprehensive information that demonstrates compliance with the requirements that apply for joint programmes. The self-evaluation report also contains the necessary information on the respective national frameworks for the cooperating higher education institutions that foreign agencies and experts may need to be able to appreciate the context, especially the positioning of the programme within the national higher education system. The self-evaluation report concentrates expressly on the distinctive features of the joint programme as a joint endeavour by higher education institutions from more than one national system of higher education (number 2; see C 1 EA). The in-person site visit allows the review panel to discuss the programme on the basis of the self-evaluation report and to assess whether the programme satisfies the requirements for joint programmes. The in-person site visit thus includes discussions with representatives from all cooperating higher education institutions, in particular with the university executives and programme coordinators, the staff, students as well as other relevant stakeholders such as alumni and the professional field. Even if the in-person site visit is normally restricted to one location, the provision of the study programme at all locations is taken into account in the assessment (number 3, see C 3 EA). The review panel draws up a review report that contains relevant evidence, analyses and conclusions with reference to the requirements on joint programmes. The review report also contains recommendations for the further development of the programme. Moreover, the review panel also makes a recommendation for the decision. The conclusions and recommendations pay particular attention to the distinctive features of the joint programme. The higher education institutions are given the opportunity to comment on the draft review report, so as to be able to point out factual errors, too (number 4, see C.4 EA). With respect to the review panel, which must comprise at least four members, these must bring together expertise in the corresponding subjects or disciplines, including the labour market/world of work in the corresponding fields, as well as expertise in the field of quality assurance in the higher education sector. Thanks to their international expertise and experience, the review panel can take account of the distinctive features of the joint programme. The review panel as a whole has knowledge of the systems of higher education of the higher education institutions involved as well as the languages of instruction employed. The review panel has members from at least two countries involved in the consortium that offers the programme. The review panels must have at least one student representative. The regulations in § 25 paragraph 3 clause 1 (majority of professors in the assessment), paragraph 5 (exclusion of experts to avoid a conflict of interests) and paragraph 6 (right of the higher education institution to submit a statement) apply accordingly (number 5, see C.2 EA).

Number 6 stipulates that a positive accreditation decision based on a corresponding assessment can only be taken if this assessment has been substantiated, any possible conditions have been fulfilled and the decision is final. This means that it is not the responsibility of the Accreditation Council, but the agency commissioned with the assessment to ensure that the decision is comprehensible for the higher education institutions and the follow-up process including the fulfilment of any conditions has been completed.

Number 7 provides that the agency is also required to publish at least a summary of the report on its website in English, which must include the assessment and substantiation (see C 5, 7 and 8 EA). This is intended to facilitate international cooperation at study programme level and in the area of quality assurance.

Clause 3 clarifies that the accreditation decision of the Accreditation Council on the recognition of the assessment must also take the form of a written notice, which must be substantiated, and that the higher education institution must be given the opportunity to comment on this beforehand within one month and that the Accreditation Council awards its seal in the event of a positive decision (§ 22 paragraphs 2, 3 and 4 clause 1). The accreditation decision becomes effective in accordance with § 26 paragraph 1 clause 1 at the beginning of the semester or trimester following its announcement. Reaccreditation is to be applied for in good time before the accreditation expires (§ 26 paragraph 2 clause 1). The higher education institution must also notify the Accreditation Council of substantial changes (§ 28) and the decision has to be published along with the review report by the Accreditation Council in the event of accreditation decisions on joint programmes, too. The same also applies for internal accreditation decisions regarding joint programmes made by system-accredited higher education institutions. Sentence 4 clarifies that the accreditation procedure pursuant to § 33 is optional. For joint programmes within the meaning of § 10 paragraph 1 and § 16 paragraph 1, higher education institutions can therefore choose to apply for recognition of the accreditation decision by the Accreditation Council in accordance with the European Approach pursuant to § 33 or to obtain accreditation pursuant to § 22. This might be done, for example, if the European Approach is not or not fully implemented in a partner country of the German higher education institution and national accreditation rules must therefore be observed. Clause 4 further clarifies that the special rules of § 10 and § 16 apply, even if the accreditation decision is not made in accordance with § 33. Clause 5 stipulates that the accreditation period for accreditation and reaccreditation, by way of derogation from § 26 paragraph 1 and paragraph 2 clause 1, is only six years according to the European Approach (see C 9 EA). Clause 6 ensures in the interests of transparency that accreditation decisions taken on the basis of the recognition of an assessment of joint programmes are indicated as such in the publication. The same applies pursuant to

clause 7 for the information on the study programme in the degree documents (in particular the Diploma Supplement).

Paragraph 2 extends the scope of the criteria and rules of procedure set out in § 10 paragraphs 1 and 2, § 16 paragraph 1 and § 33 paragraph 1 of the so-called European Approach to joint programmes conducted in cooperation with higher education institutions outside the European Higher Education Area if the cooperation partner outside Europe has pledged to apply these principles in a cooperation agreement with the domestic higher education institution.

Part 6 – Alternative accreditation procedures pursuant to Article 3 paragraph 1 number 3 of the interstate study accreditation treaty

§ 34 – Alternative accreditation procedures

Paragraph 1: The regulation in § 34 implements the possibility offered in Article 4 paragraph 4 in conjunction with Article 3 paragraph 1 number 3 of the interstate study accreditation treaty of other accreditation paths as an alternative to system and programme accreditations, which are similarly governed by the criteria pursuant to Article 2.

Paragraph 2 also obliges the alternative methods to comply with the formal and academic criteria pursuant to Part 2 and Part 3. Moreover, the requirements on the appropriate involvement of academia in accordance with the ESG and the specifications of the Federal Constitutional Court in its resolution of 17 February 2016 as regulated in the interstate study accreditation treaty – in particular Article 3 paragraph 2 clause 1 – and in the specimen decree, must be observed. If the alternative procedures also include teacher training programmes and study programmes in Catholic or Protestant theology, the cooperation and approval requirements regulated in the specimen decree also apply. The higher education institutions are not obligated to commission an agency.

Paragraph 3: If a higher education institution intends to employ an alternative procedure, it requires the prior approval of both the Accreditation Council as well as the responsible scientific authority of the respective state. This ensures that the scientific authority is involved from the very start and thus guarantees the requirements on regulated professions. The basis for the approval is a description of the intended procedure, for the assessment of which with respect to its suitability to satisfy the requirements on quality assurance resulting from the interstate study accreditation treaty and the specimen decree, the Accreditation Council can also call in external expertise. The application to be made after the approval must also be presented to the Accreditation Council through the competent scientific authorities.

Within the scope of the agreement with the state, the Accreditation Council can only refuse its approval if the alternative procedure cannot guarantee compliance with the requirements pursuant to Article 2 of the interstate study accreditation treaty and the principles for the appropriate involvement of academia. In addition, the alternative procedure should also convey a deeper knowledge of quality assurance that goes above and beyond the programme and system accreditation.

Paragraph 4: The details of the procedure will be regulated in rules of procedure.

Paragraph 5: The alternative procedure will be limited to a maximum of eight years, i.e. shorter periods can also be stipulated in these cases. As is the case with a system accreditation, the higher education institution is also entitled to award itself the Accreditation Council's seal for the study programmes it assesses on its own within the scope of the alternative procedure. The extension options provided in § 26 paragraph 3 clause 2 apply accordingly. Attention should also be paid to an unbroken accreditation chain within the scope of alternative procedures in the interests of students.

The Accreditation Council accompanies the alternative procedure, which must be evaluated in due time before expiry of the project period by an independent institution with close ties to academia as a requirement for the continuation of the procedure.

Part 7 – Miscellaneous

§ 35 – Combination with professional licensing procedures

Paragraph 1 offers the possibility to organisationally combine accreditation procedures with professional licensing procedures also within the scope of the new accreditation system. The regulation should be understood in the sense of an offer to the responsible state authority to use the accreditation procedure to verify the suitability of a study programme with a view to access to regulated professions in the interests of students. This possibility has been used up to now in particular in the field of auditing and social work/social pedagogy. In future, this possibility could play a role within the scope of the planned academic training in healthcare professions. The combination of procedures assumes a corresponding application from the higher education institution.

Paragraph 2 makes it clear that the external experts to be consulted concerning the suitability of the study programme under professional law have only an advisory function and exercise no influence over the accreditation decision. The accreditation decision on the one hand and the decision on the ascertainment of the suitability under professional law on the basis of the professional law regulations on the other are legally separate decisions. The latter is taken by a separate notification of the higher education institution by the responsible state authority in each case.

The regulation only relates to those models that distinguish between a study programme and practical phases (for example to achieve state recognition). Single-phase models with integrated practical times remain unaffected.

§ 36 – Evaluation

The evaluation to be carried out three years after the specimen decree entered into force provided for in the resolution of the Standing Conference of the Ministers of Education and Cultural Affairs of 7 December 2017 on the specimen decree pursuant to Article 4 paragraphs 1–4 of the interstate study accreditation treaty that is stipulated in § 36 paragraph 1 of the specimen decree was carried out accordingly.

The new arrangement allows for a flexible organisation of future reviews and any necessary revision of the provisions of the specimen decree. Amendments may also be made on an ad hoc basis and relate to individual provisions or parts thereof. At the same time, the amendment takes into account Article 15 of the interstate study accreditation treaty, which also provides for regular evaluations at appropriate intervals. In this respect, the amendment also serves to harmonise the two regulations as well as providing for simplification and synchronisation for future processes.