



**KULTUSMINISTER
KONFERENZ**

HRK German Rectors' Conference
The Voice of the Universities

European Study Reform

**Joint declaration by the Standing Conference of the Ministers of Education and
Cultural Affairs of the Länder in the Federal Republic of Germany and
the German Rectors' Conference**

(Resolution by the German Rectors' Conference of 10 November 2015 and
the Standing Conference of the Ministers of Education and Cultural Affairs of the Län-
der in the Federal Republic of Germany of 8 July 2016)

Initial situation

Over the last 16 years, the German higher education landscape has undergone an unparalleled reform process that started with the signing of the “Bologna Declaration” in 1999. Comparable course structures based on a tiered graduation system with bachelor’s and master’s degrees, quality assurance on the basis of common standards and guidelines as well as shared instruments of transparency (Diploma Supplements, ECTS, modularisation, higher education qualifications framework) are the core components of the Bologna Process, which 48 countries to date have agreed upon as the basis for a uniform European Higher Education Area.

Thanks to the impressive reform efforts on the part of higher education institutions (HEI), the Bologna Process has now been implemented virtually everywhere in Germany. In this context, issues worthy of criticism and weaknesses in implementation have also already been addressed. The German federal states responded in 2009/2010 with a review of the Common structural guidelines of the Länder for the accreditation of Bachelor’s and Master’s study courses that primarily aimed to improve the feasibility of completing a degree programme and the quality of teaching, as well as to improve mobility, and which led to amendments to the states’ higher education legislation and a number of follow-up measures at state and HEI level.

In November 2013, the German Rectors' Conference adopted recommendations on how to further implement the European Study Reform in Germany based on a comprehensive performance record on the implementation of the reform’s objectives and a firm commitment to the path taken with the Bologna Process.

Considering what has already been achieved, the focus is now on consolidation and optimisation of the implementation process.

1. Further implementation stages, specifically in degree programmes that have not yet been converted

In the winter semester 2014/2015, 88.2% of all degree programmes were bachelor’s and master’s programmes; in the case of universities of applied sciences, the proportion was as high as 98.7%. At colleges of music, the proportion was 83.9%, in contrast to colleges of art where the figure was 61.6%. A lower implementation level can be seen particularly in areas of more regulated degree programmes (teacher education, medicine, pharmacy, law). Even if conversion of further degree programmes to bachelor’s/master’s structures will not be considered in the foreseeable future, the

Standing Conference of the Ministers of Education and Cultural Affairs and the German Rectors' Conference agree that it is desirable in the medium term for elements of tiered structures to be included in degree programmes in such fields, not only with regard to networking between these subjects and degree programmes that have already been converted, but also from an international perspective. To this end, it may be necessary to refine the Common structural guidelines and those specific to each individual federal state, taking into account the Quedlinburg Resolutions and the European Standards and Guidelines (ESG) 2015, in order to increase flexibility while maintaining mutual recognition. A special role is played by degree programmes in the fine arts, which are characterised by specific requirements and special organisation of courses, for which reason they should also be able to retain their own approaches. Furthermore, the situation relating to the individual subjects also varies on account of the respective framework conditions arising from federal and state legislation (cf. annex for more details).

The KMK and HRK are in favour of HEI offering tiered degree programmes in the fields of law and medicine, too, as a supplement to and alongside the traditional "Staatsexamen" courses, also in order to ensure compatibility at an international level. This will permit them to gain experience, and can pave the way for a future introduction of the characteristic elements of tiered degree structures, such as modularisation, credit points, examinations throughout the course of studies, also in regulated degree programmes other than teacher education. This should be used as a benchmark for new degree programmes. It should be facilitated while maintaining the specific profiles and taking account of different models.

2. Student mobility

The number of German students registered at foreign universities has risen steadily since 1998. In 2013, around one third of all German students had spent time abroad as part of their course (semesters abroad, internships, language courses, study periods abroad, project work and summer schools) at some time during their degree programme. Among bachelor's students nearing the end of their courses, this figure is 29%, among master's students as high as 41%. In addition to financial aspects, issues such as recognition of academic achievements and examinations, and loss of study time potentially incurred as a result played a key role for students deciding whether to spend time in another country. Thanks to targeted efforts on the part of

many HEI, the rate of recognition has, according to a survey by the German Academic Exchange Service (DAAD) taken in 2013, developed very positively and has reached 70% in the meantime¹. Nevertheless, further improvements are required in this respect, specifically at bachelor's level:

- Recognition in advance as provided for under ERASMUS+ and institutionalised partnerships between national and international HEI should be further promoted and expanded to act as guarantees for trouble-free and complete recognition.
- HEI must put greater effort into ensuring that the principles of the Lisbon Recognition Convention are applied consistently; these principles are not limited in any way to signatory countries, but should be used as a basis for recognition of all national and international achievements. The benchmark for recognition is the knowledge acquired and not a quantitative comparison of ECTS credits. This will initially require clear, competence-oriented descriptions of modules and learning outcomes. Greater attention should be paid to the corresponding requirements placed on module descriptions and the recognition practice actually implemented by HEI within the scope of internal and external quality assurance.
- As specified in the ECTS Users' Guide of May 2015, clearly worded and freely accessible module descriptions, an increase in the development of structured processes and procedures and early provision of information to students on recognition procedures, all contribute to transparency and therefore to simplifying recognition practice at HEI.

Implementation of the principles of the Lisbon Recognition Convention requires a consistently competence-oriented understanding of degree programmes that takes account of developments within the Bologna Process.

¹ Note added by secretariat: The 2013 DAAD survey returned a figure of 69%. Consequently, the 2015 National Report also states an increase of just under 70%. There are no statistics that can currently be quoted for a higher percentage.

Increasing mobility of students and graduates places great demands on HEI with regard to the individual assessments necessary. With a view to the disciplinary diversity of bachelor's degree programmes and differing performance levels, this will in future, at least, apply especially to the access to master's degrees which is increasingly emerging to be the primary interface for switching HEI both within Germany and from abroad. At the level of faculty associations and deans' conferences, it will consequently be necessary to coordinate instruments, especially with regard to the institutional level, that supplement the information contained in the ANABIN² database and that simplify and accelerate assessment procedures. The "Nexus: Forming Transitions, Promoting Student Success" projects and the FAIR project within ERASMUS+ support HEI with the development of, among other things, organisational/technical and administrative measures to improve recognition of academic achievements and examinations passed to increase transparency and legal protection for students.

With regard to improving mobility, HEI must become more transparent in organising and standardising recognition procedures according to the principles of the Lisbon Recognition Convention and on the basis of a broad understanding of competences – in case that they have not already done so.

3. Capacity legislation

Implementation of the Bologna Process constitutes not only a substantial increase in the importance of teaching and studies. Rather, modularisation within individual disciplines has facilitated a broad diversification of discipline-specific priorities by HEI, on the one hand, and of the possible combinations of modules by students, on the other. This requires more flexibility on the part of HEI with regard to ascertaining and determining capacity. As long ago as 2005, the Standing Conference of the Ministers of Education and Cultural Affairs spoke out in favour of modernising capacity legislation in order to grant more freedom of action with regard to the introduction of bachelor's and master's degree programmes. For this purpose, the conference proposed a bandwidth model – rendering previously rigid curricula for degree programmes more flexible – that introduced leeway for HEI in determining the level of supervision and presented a budget-based covenant programme. To this end, the Standing Conference of the Ministers of Education and Cultural Affairs and the Ger-

² ANABIN: KMK's database for the recognition of foreign educational qualifications

man Rectors' Conference propose further exploration and development of the capacity legislation reform, in dialogue between the federal states and HEI, taking account of the pertinent legal precedents.

The HRK and KMK declare their support for refining existing capacity legislation in order to grant HEI more flexibility in designing study pathways and to take into account the additional expenditure for qualified teaching in light of an increasingly heterogeneous body of students.

4. Common Structural Guidelines and quality assurance

In the tiered graduation system, the federal states currently take their general governmental responsibility for the required structural homogeneity of the higher education system as the basis for mobility during degree courses and recognition of qualifications through Common Structural Guidelines. The guidelines are limited to setting the structural framework for bachelor's and master's degree programmes based on the objectives and instruments agreed between the Bologna signatory countries.

The Common Structural Guidelines form the basis for accreditation that was established as an instrument of external quality assurance at the same times as the Study Reform and that has made a considerable contribution to the creation of a new quality culture and individual responsibility at HEI especially with regard to teaching. The Common Structural Guidelines, in conjunction with accreditation organised independently of the state, offer HEI a basis for fulfilling their responsibility towards students that has grown at the same rate as their autonomy: a responsibility to provide quality, transparency and comparability of studies and teaching, as well as their duty of accountability towards the state and the general public. In the future, too, both instruments will have to be refined with regard to the dynamic developments in the higher education sector and the diversifying quality culture, in cooperation between governments and HEI. With regard to the legal basis of the accreditation system, the ruling by the Federal Constitutional Court of 17 February 2016 must be taken into consideration.

The introduction of system accreditation that constitutes an addition to programme accreditation – which itself remains a useful alternative in certain cases – was already a response to the shift in HEIs' quality consciousness. The German Rectors' Conference and the federal states welcome, as a further step, the fact that, with the competition announced within the scope of the Experimentation Clause, a path was opened up for trials of alternative concepts of external quality assurance, which may include audit procedures, to be performed in direct dialogue with HEI, thus uncovering development prospects.

The KMK and HRK expressly welcome the fact that system accreditation is being applied by increasing numbers of HEI. In this context, however, it must be noted that programme accreditation must be retained as an option. The latter should fulfil its role as instrument of re-accreditation better than in the past and essentially take into account the greater level of autonomy on the part of HEI.

System accreditation should be refined based on the experience of the second major cohort of HEI that have now introduced this procedure. The topic of “re-accreditation of system accreditation” must be addressed in this respect. Good practice takes account of experience gained at international level. Ultimately, the aim is to analyse the experience gained within the scope of the Experimentation Clause on an ongoing basis and to contribute the same to refining conventional procedures. The HRK is of the opinion that an audit-based procedure lends itself specifically to the re-accreditation of HEI already system-accredited.

The Common Structural Guidelines that were substantially revised as long ago as in 2010 continue to be reviewed for any adjustments needed – just like those applying to a specific federal state – tracking the progress made by the reform process in the European Higher Education Area. In this way, the Common Structural Guidelines and the structural guidelines applying to specific federal states should be compatible with the revision of the “European Standards and Guidelines for Quality Assurance” and the “European Approach for Quality Assurance in Joint Programmes” adopted at the European ministerial conference held in Yerevan in May 2015.

The Common Structural Guidelines already open up a wide range of possibilities for action that takes account of different cultures prevailing in individual disciplines. The Standing Conference of the Ministers of Education and Cultural Affairs and the German Rectors' Conference suggest HEI make full use of such leeway for action. The following should be given special emphasis:

- **Standard periods of study and ECTS upper limit**

The guidelines on standard periods of study and on the upper limit of 300 ECTS credits for achieving a master's level are conceptual guidelines for HEIs' degree programme and resource planning. They do not relate to how individuals structure their courses of study. Organisational measures facilitating individual study pathways (such as part-time studies, distance learning or studying part-time while employed, "studying at different speeds", etc.) are just as compatible with the structural guidelines as the granting of a master's degree to individual students with less than 300 ECTS credits (e.g. within the scope of 6 + 3) without the mandatory requirement to catch up on missing performance credits as long as the intended learning outcomes have been achieved that do not (primarily) have to be determined by the number of ECTS credits. Individual study pathways involving the combination 8+4 (360 ECTS credits) are also permissible. Similarly, the guidelines on standard periods of study, which in contrast to other Bologna signatory countries, are not rigidly fixed at bachelor's and master's level, open up a wide range of possibilities to reflect characteristics specific to individual HEI or disciplines. The current system of financial support for students (BAföG) does not do full justice to the options available. The Diploma Supplement should be used as a kind of portfolio to document individuals' study pathways and acquisition of knowledge.

- **Profile types**

The differentiation between "application oriented" and "research based" as an option provided exclusively at master's level serves to distinguish between different profile types in the interest of transparency to provide students with orientation in their choice of degree programme and for the labour market. On the other hand, differentiation between types of HEI is explicitly not intended. The Standing Conference of the Ministers of Education and Cultural Affairs and the German Rectors' Conference therefore appeal to all HEI to be generous over the entire study pa-

thway when it comes to switching between types of HEI and by doing so, increase accessibility while maintaining quality. The same applies to access to doctoral education which is open to qualified holders of master's degrees from universities and universities of applied sciences alike.

- **Writing of bachelor's and master's theses and scope of the same**

The structural guidelines provide for ranges in the time allowed for writing bachelor's and master's dissertations that permit flexibility and therefore also take account of the special characteristics of individual disciplines. As an example, time-consuming project work in cooperation with industry that, in cases where the time-limits are correspondingly extended, can be designed to be carried out over two or (in duly substantiated cases) more semesters is compatible with the structural guidelines. Joint theses by several students are feasible as long as it is possible to identify individualised achievements that can be allocated to each individual student as the basis for assessment. On the one hand, limiting the time available for writing theses serves quality assurance. On the other, it serves students' interests, counteracting the danger of overloading in terms of both content and time, especially in the context of Master's degree programmes.

- **Versatility of bachelor's degrees**

The tendency that can be observed at HEI to design highly specialised degree programmes even at bachelor's level that are aligned to specific follow-up master's programmes contradicts the flexibility intended with the two-tier graduation system – also in the sense of lifelong learning – which is based to a great extent on the versatility of bachelor's degrees. In addition to conveying the essential stand-alone professional competences in the sense of conveying the academic competences necessary to work in a broad professional context, bachelor's degrees must offer the option to take up master's courses either at a deeper level in the same discipline or in a related but different subject. The Standing Conference of the Ministers of Education and Cultural Affairs and the German Rectors' Conference propose that the wide scope of the bachelor's/master's system should also be taken advantage of outside a system of consecutive degree programmes.

The Common Structural Guidelines and accreditation have contributed to the creation of an institutional quality culture, especially with regard to teaching, while maintaining HEIs' autonomy. The HRK and KMK agree that both instruments must be refined, but they already provide leeway that should be exploited by HEI to a greater extent, for example with regard to the guideline of 300 credits, the profile types within master's programmes, the scope of bachelor's and master's theses and the versatility of bachelor's programmes.

5. Awarding of grades in the first semesters

Grades play an important role in students' self-orientation and reviewing decisions to take up a degree programme. Modules should therefore generally be graded taking account of the regulations under state law. On the other hand, HEI can, especially in the first two semesters, refrain from including those grades in the calculations used for the final grade or alternatively marking as "passed" or "failed".

6. Access to the senior section in public services at federal and state level by holders of bachelor's degrees

A bachelor's degree is a fully valid qualification at HEI level, providing its holder with academic professional competences. It is now up to the public sector to take a stance by improving promotion and career opportunities for holders of bachelor's degrees. The federal and state ministers responsible for public sector employment legislation are requested to review the prerequisites in each individual case (for bachelor's graduates holding a doctorate, e.g.) for promotion to the senior section of the public service or comparable qualification levels in a both federal and state context. The HRK expressly supports this initiative by the KMK.

7. Transparency of the grades necessary for admission to master's degree programmes

In light of the differing cultures of awarding grades at individual HEI and in individual disciplines, the Standing Conference of the Ministers of Education and Cultural Affairs and the German Rectors' Conference stand by their objective anchored in the Common Structural Guidelines of introducing for the final grade of bachelor's and master's degree programmes a system of relative grades alongside the grade on the basis of the German grading system. This is intended to facilitate transparent and objective assessments, especially within the framework of admission to master's

degree programmes, and to bring about an improvement in equal opportunities. In May 2013, the Standing Conference of the Ministers of Education and Cultural Affairs made a policy decision on the basis of a model developed together with the German Rectors' Conference to state, in addition to the absolute grade according to the German grading system, the percentile rank of this absolute grade in the range of all grades awarded within a specific cohort of graduates. A document for HEI currently being prepared will address issues such as size of cohort, differing grading systems, etc.

The Standing Conference of the Ministers of Education and Cultural Affairs and the German Rectors' Conference are reviewing and specifying concrete measures with the objective of putting into place the legal and substantive prerequisites for the introduction of a percentile ranking (grade distribution table) and consideration as access and admission requirement for master's degree programmes.

In the case of bachelor's certificates, a percentile rank of all grades awarded should be introduced in addition to the absolute grade.³ This will improve transparency and equity towards students, higher education institutions and potential employers.

³ In this context, this constitutes a standardisation of the calculation base for the relative grade in bachelor's degree programmes to be stated pursuant to the Common Structural Guidelines (Appendix Outline Guidelines, point 2 f).

Appendix

Regarding the issue of the two-tier degree structure in individual disciplines

- Teacher education

With the “Quedlinburg Resolution” of 2 June 2005, the Standing Conference of the Ministers of Education and Cultural Affairs created the basis for reciprocal recognition of bachelor’s and master’s degrees in degree programmes that convey the educational qualifications for the teaching profession. Since then, teacher education has been fully converted to the bachelor’s/master’s system in eight federal states. In virtually all of the other federal states, there has been at least a partial conversion for specific subjects. On the other hand, the material elements of the structure of bachelor’s and master’s programmes – modularisation, ECTS and examinations throughout the course of studies – have also been introduced into “Staatsexamen” degree courses throughout Germany.

- Law

According to the German Judiciary Act, the basis for legal education is the legal studies legislation promulgated by the federal states under which the acquisition of the qualification for judicial office presupposes a university degree course in law involving the first Staatsexamen and a subsequent preparatory service which includes the second Staatsexamen. With its resolution of 18/19 May 2011, the Standing Conference of the Ministers of Justice of the Länder in the Federal Republic of Germany re-affirmed that the two Staatsexamen and a uniform preparatory service are indispensable to prepare for regulated legal professions. At the same time, it nevertheless established that models that adhere to the training structures in place with regard to education for the regulated legal professions and additionally integrate elements of the bachelor’s/master’s structure offer points of contact for supplements to the current education. In this respect, the possibility is specifically addressed of granting additional academic degrees within the context of the degree programme leading to the first examination.

Alongside the “traditional” legal studies that prepare students for the regulated legal professions in the judicial system and administration, there is now a wide range of bachelor’s and master’s degree courses that qualify graduates for fields of activity other than the traditional legal professions subject to the prerequisites of the German Judiciary Act. Furthermore, there are bachelor’s/master’s models that offer an option to take the first Staatsexamen in law to provide access to the legal preparatory service (e.g. the Mannheim Model).

In light of the increasingly interdisciplinary approach and the associated networking of legal studies with other disciplines and the rise in international cooperation and therefore mobility especially among lawyers, the Standing Conference of the Ministers of Education and Cultural Affairs and the German Rectors' Conference speak out in favour of continuing along this path of reforming degree programmes. At least in the medium term, core components of the bachelor's/master's structure should begin to be introduced into Staatsexamen degree courses, in order to facilitate recognition of academic achievements and examinations passed when switching from or to a Staatsexamen degree course, thereby increasing flexibility and improving accessibility.

- **Medicine, pharmacy**

The Staatsexamen degree courses in medicine, dentistry, veterinary medicine and pharmacy are based, in terms of content and structure, on the corresponding regulations on licences to practise medicine. In its resolution of 1 July 2010, the Standing Conference of the Ministers of Health of the Länder in the Federal Republic of Germany re-affirmed its negative stance on the introduction of bachelor's and master's structures in medical education. Nevertheless, with a view to the need arising for education in this area with regard to alternative fields of activity and especially in the field of research, a wide range of bachelor's and master's programmes have already become established that prepare graduates for fields of activity that do not require a licence to practise medicine. The fact that medicine is not, in principle, exempted from the introduction of a two-tier graduate system can be clearly seen from the example set by the Netherlands. The degrees obtained in the Netherlands are also recognised in the Federal Republic of Germany on the basis of EU Directive 2005/36/EC.

On the healthcare side, the focus is currently on an extensive reform of the contents of medical education. Since 2009, the *Society for Medical Education* (GMA) and the Association of Medical Faculties (MFT) have been drafting a National Competence-based Learning Objectives Catalogue in Medicine (NKLM) in collaboration with representatives of medical professional associations, self-governing organisations, the ministries (including representatives of the Standing Conference of the Ministers of Education and Cultural Affairs) and authorities responsible, and the research organisations. The objective is to compile a catalogue based on the professional profile of physicians that is to contain globally agreed learning objectives on the basis of the regulations on licences to practise medicine and the EU Directive that leaves scope for individuals to set their own priorities. With regard to

the amendment currently under review of the regulations on licences to practise dentistry that aims towards much closer networking between dentistry and medical degree programmes, a similar programme was launched in 2011 to compile a National Competence-Based Learning Objectives Catalogue in Dentistry (NKLZ). The catalogues were coordinated with each other and adopted by the MFT in June 2015.

Even if these activities do not relate to implementation of the two-tier degree structure in medical degree programmes, the Standing Conference of the Ministers of Education and Cultural Affairs and the German Rectors' Conference welcome the competence-oriented description of learning objectives which takes up a key issue of the Bologna Process. Now that the results are available, the task is now to review to what extent further elements of the Bologna Process, especially modularisation, can also be implemented on this basis in medical and pharmaceutical degree programmes in order to improve accessibility between the degree programmes in the different systems. The increasing number of bachelor's and master's degree programmes in the field of healthcare by non-physicians and the considerable number of master's programmes in medicine on offer – also especially for the international market – will, at least in the medium term, provide stimuli for adapting medical degree programmes.

- **Fine arts**

In many federal states, fine arts degree programmes are exempted from conversion to the two-tier degree structure. The Common Structural Guidelines that – subject to quite a number of special regulations – also relate to artistic degree programmes provide degree programmes in the fine arts with the possibility of exemption of this nature, this being decided by the relevant government department in cooperation with the respective HEI. This is justified by the special nature of such courses.