Responsible bodies

The supervision of higher education institutions is exercised by the relevant Land Ministry of Science and Research. External evaluation is performed by regional evaluation agencies at Land level or by networks or associations of higher education institutions covering all Länder. The Science Council (Wissenschaftsrat) carries out the institutional accreditation procedures for non-state universities.

For the accreditation of Bachelor’s and Master’s degree programmes, the Standing Conference of the Ministers of Education and Cultural Affairs of the Länder (Kultusministerkonferenz – KMK) has established a Foundation for the Accreditation of Study Courses in Germany (Stiftung zur Akkreditierung von Studiengängen in Deutschland). The Accreditation Council Foundation is a joint institution of the Länder for accreditation and quality assurance in studies and teaching at German higher education institutions. Through the Foundation, the Länder jointly perform their tasks within the framework of quality assurance and quality development and thus fulfil their national responsibility in the higher education sector for ensuring the equivalence of corresponding study and examination achievements as well as degrees and the possibility of changing higher education institutions. The bodies of the Foundation are the Accreditation Council, the Executive Board and the Foundation Council.

After the Federal Constitutional Court (Bundesverfassungsgericht) expressly confirmed the approach of a binding, external assurance of the quality of teaching through accreditation in February 2016, but had seen deficits in its legal implementation, the Standing Conference has placed the accreditation system on a new legal basis through the State Treaty on the Accreditation of Studies (Studienakkreditierungsstaatsvertrag). The main change to the accreditation system realised by the treaty is that the decision on the accreditation is no longer taken by the agencies – as before – but by the Foundation Accreditation Council (Stiftung Akkreditierungsrat) on the basis of corresponding reports and assessment recommendation by the agencies. The State Treaty that has come into force in 2018 also provides for a change to the personnel composition of the body responsible for accreditation.

According to the State Treaty on the Accreditation of Studies, the Foundation for the Accreditation of Study Programmes in Germany serves the fulfilment of the following tasks in detail:

- To accredit and re-accredit study programmes and internal quality assurance systems of higher education institutions as well as other quality assurance procedures by awarding the seal of the foundation.
- To define the conditions for the recognition of accreditations by foreign institutions, taking into account developments in Europe.
- To promote international cooperation in the field of accreditation and quality assurance.
- To regularly report to the Länder on the development of the consecutive system of study and on
quality development within the framework of accreditation.

- To admit the agencies for the assessment and preparation of an expert opinion with decision and evaluation recommendations.
- To support the Länder in the further development of the German quality assurance system.

The Accreditation Council as responsible body decides on all matters of the Foundation for the Accreditation of Study Programmes in Germany. The Accreditation Council comprises eight professors from institutions of higher education, one representative of the German Rectors' Conference (Hochschulrektorenkonferenz – HRK), four representatives of the Länder, five representatives from among professional practitioners, including one representative from the ministries of the Länder responsible for legislation governing service and wages, two students, two foreign representatives with accreditation experience as well as one representative of the accreditation agencies in an advisory capacity.

Approaches and methods of quality assurance

Supervision of higher education institutions

Higher education institutions are subject to state supervision which is exercised by the Länder. Legal supervision encompasses all activities of the higher education institution. It is checked here whether the higher education institution has, by its actions or omissions, infringed laws or other statutory provisions. A more wide-ranging supervision is carried out in those areas for which the state is responsible, as opposed to academic affairs. This includes staff administration and economic, budgetary and financial management, i.e. participation in the preparation of the responsible minister's budget and in its implementation, the organisation of the higher education institution and the establishments affiliated to it, the management of budgetary funds, and so on. Within the relevant Land Ministry of Science and Research, the higher education supervisory authority examines whether actions taken are appropriate and economically efficient and whether targets are being fulfilled. Economic efficiency is also monitored by the audit office of the relevant Land.

The tasks of determining training capacity and setting admission figures are also subject to supervision by the higher education supervisory authority. Higher education institutions or rather the respective Land ministries issue ordinances or regulations on admission figures for the number of available places in higher education. These require education and training capacity to be used to the full, subject to budgetary constraints and the available premises, and to subject-related factors. The quality of research and teaching, and the proper performance of the functions of the higher education institution, particularly in research, teaching and study, must be guaranteed.

A legal obligation to submit regular reports on teaching and study exists in most Länder. These reports are usually set up by the departments within higher education institutions and published by the institution's governing body. The following factors, among others, may serve as indicators in the report on teaching: the ratio of those that start a course to those that complete it, the proportion of students within the standard period of study, the examination success rate and the whereabouts of graduates. Several Länder have begun to develop stipulations on the content and form of teaching reports.

The assessment of the quality of teaching has been provided for since 1998. In accordance with the principle of academic freedom, professors and junior professors perform their research and teaching duties independently. The scope and organisation of teaching is subject to supervision by the higher education supervisory authorities only in so far as the scope of teaching commitments is laid down in a teaching load ordinance, the contents of Bachelor’s and Master's degree courses must comply with
the requirements of the applicable study and examination regulations and must provide a qualification for a profession.

**Evaluation in the higher education sector**

In its resolution on quality assurance in teaching at higher education institutions from September 2005, the Standing Conference defined the indispensable core elements of a coherent quality management system encompassing all aspects of higher education institutions, which combines different measures and procedures of quality assurance. Such measures and procedures also include an evaluation which refers to certain indicators and specifies individual tools (e.g., combination of internal and external evaluation, involvement of students and graduates).

Meanwhile, to support internal evaluation and implement external evaluation of the different tasks of the institutions of higher education, an infrastructure of Land-level and supraregional-level establishments has now come into being (agencies at Land level, networks/associations at supraregional level). In Germany a two-tiered system of evaluation is widely applied which combines internal and external evaluation. The internal evaluation consists of a systematic inventory and analysis of teaching and studying, taking account of research, performed by the individual department or the faculty and concludes with a written report. On this foundation, an assessment by external experts takes place who also lay down their findings and recommendations in a written final report.

At both the level of the institutions of higher education and at ministry level, various international cooperative measures exist for the development and implementation of evaluation measures. External evaluations generally take the form of peer reviews, i.e. they are performed by competent experts from other institutions of higher education, research establishments or from the business community and are repeated at various intervals.

Student criticism of classes, in some cases involving graduates, has now also become a widespread method of evaluating teaching in the sector of higher education. Such criticism primarily serves the purpose of optimising teaching within the higher education institution and is not an official means of monitoring teaching staff. The aim is for higher education teaching staff to listen to criticism so that they can assess themselves better and rectify shortcomings.

The aim of the evaluation measures is, firstly, to subject academic standards in teaching, teaching methods and the success of teaching to regular assessment. The findings can then be used to identify possible measures for improving courses and teaching. Furthermore, it is also necessary for higher education institutions to account to the public for their achievements in teaching and research. The results of the evaluation are increasingly being taken into account in the Länder as a basis for allocating resources to higher education institutions. Attempts to evaluate higher education institutions should generally be viewed against the overall background of renewal of the higher education sector, the main elements of which include reform of the structure of study, greater financial autonomy for higher education institutions and improved management.

**Reform of the study structure and quality of teaching**

The consecutive grading system introduced in the course of the Bologna Process has now largely replaced the traditional degrees (Diplom and Magister). Alongside the introduction of a system of comprehensible and comparable degrees and the improvement of mobility, safeguarding quality standards is one of the key objectives of this comprehensive structural reform. The quality of teaching therefore became more of a focus. The modularisation of study offers with accompanying examinations, the introduction of a credit point system based on student workload, the orientation to
learning outcomes and teaching centred on students are therefore key elements of the reform process, which is intended to improve the quality of teaching and the academic feasibility of the courses offered.

With the Teaching Quality Pact (Qualitätspakt Lehre) of the Federation and of the Länder, in 2010, a support programme was launched [6] which aims to improve the framework conditions for teaching at institutions of higher education, in the field of student/lecturer ratios, for instance, and to support higher education institutions with further measures to assure quality in teaching, such as the continuing education of teaching staff or the establishment of quality management systems in teaching. Another huge challenge facing the institutions of higher education is the digitisation of teaching and the associated integration of elements of digital learning in the regular curriculum.

The agreement between the Federation and the Länder Innovation in Higher Education Teaching (Innovation in der Hochschullehre) concluded in June 2019 as the successor to the Teaching Quality Pact (Qualitätspakt Lehre) is intended to promote the further development of higher education teaching and its strengthening in the higher education system as a whole from 2021 onwards. To this end, an organisational unit is to be set up under the umbrella of an existing institution. It is to use appropriate funding formats to create incentives at the institutions of higher education to continue to make greater efforts to improve the quality of studies and teaching and to support the exchange and networking of relevant players.

Even before the conclusion of the Teaching Quality Pact the Länder had taken measures to ensure and improve quality, e.g. to improve student-teacher ratios and other initiatives to develop the quality of teaching.

**Accreditation of study courses**

In 2017, the Länder agreed on the State Treaty on the Organisation of a Joint Accreditation System for Quality Assurance in Studies and Teaching at German Institutions of Higher Education (State Treaty on Accreditation in Higher Education - Studienakkreditierungsstaatsvertrag), which came into force at the beginning of 2018. Deviating from the previously practised procedure of accreditation by accreditation agencies, a distinction is now made between assessment and preparation of the expert opinion with decision and evaluation recommendations on the one hand, which are to be carried out by the agencies, and the accreditation decision on the other hand, which is made by the Foundation Accreditation Council as an administrative act.

The assurance and development of quality in studies and teaching is primarily the task of the higher education institutions, which fulfil this task through internal measures of quality assurance and quality development. The procedures used by the higher education institutions generally relate either to ensuring the efficiency of internal quality management systems with external participation (system accreditation) or to quality assurance and quality development of individual study programmes with external participation (programme accreditation). It is the task of the Länder within the framework of quality assurance and quality development to ensure the equivalence of corresponding study and examination achievements and degrees as well as the possibility of changing higher education institutions. Programmes whose quality is assured on the basis of the State Treaty on the Accreditation of Higher Education are recognised in all Länder as equivalent in terms of quality assurance under higher education legislation.

Formal criteria for quality assurance are study structure and duration, study programme profiles, admission requirements and transitions between study programmes, degrees and degree designations, modularisation, mobility and credit point systems, equalisation of Bachelor's and
Master's programmes with previous Diplom, Staatsexamen and Magister programmes, measures to recognise achievements in the event of a change of higher education institution or study programme and achievements outside the higher education institution.

The subject-content criteria include:

- The qualification objectives of a degree programme corresponding to the desired level of qualification, which relate, among other things, to the area of scientific or artistic aptitude as well as aptitude for qualified employment and personal development.
- The conformity of the qualification objectives with a conclusive study programme concept and its implementation through an adequate equipment with resources, appropriate qualification of the lecturers and corresponding competence-oriented examinations as well as studyability.
- Technical and content-related standards that are state-of-the-art in science and research
- Measures for gender equality and compensation of disadvantages.
- The concept of the quality management system and the measures to implement the concept.

The above-mentioned internal procedures of higher education institutions for ensuring and developing quality in studies and teaching with regard to system accreditation and programme accreditation are generally carried out:

- At the request of the higher education institution, to be submitted to the Accreditation Council
- On the basis of a self-evaluation report of the higher education institution containing at minimum information on the quality objectives of the higher education institutions and the above-mentioned criteria
- With the decisive participation of external independent experts from the social sectors relevant to quality assurance
- Through assessment and preparation of an expert opinion with recommendations for decisions and evaluation by an agency approved by the Accreditation Council Foundation.
- Under participation of subject-related lecturers at higher education institutions

Before the final decision on accreditation is made, the higher education institution is given the opportunity to comment. The decision of the Accreditation Council comprises the determination of compliance with the formal criteria and the technical-content criteria. The procedure is documented. The expert opinion and the decisions are published in an appropriate manner.

The Länder determine the details of the formal criteria, the technical-content criteria and the procedure by ordinance. These regulations are based on a model regulation drawn up jointly by the Länder and are essentially identical.

The vast majority of Bachelor's and Master's degree programmes are subject to accreditation in accordance with the relevant Land legislation, including Bachelor's and Master's degree programmes which convey the educational prerequisites for a teaching post.
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