



# MICROGUIDE

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Project full title: DEVELOPING GUIDELINES FOR THE  
IMPLEMENTATION OF MICRO-CREDENTIALS IN HIGHER  
EDUCATION  
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Abstract	The Analysis of the legal framework in Project partner countries is necessary to identify the qualities and weaknesses in legal framework in project partners countries, and in that sense to make a proposal for a best legislative model as a guide for future improvements.
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## 1 Objectives

The impact of this activity is to identify the qualities and weaknesses of legal frameworks regarding MCs implementation in Project partner countries HE, and in that sense to define a measure for their improvement.

Tasks are defining information sources, gathering information, analysing information, presenting the analysis results, and creating a proposal for the best legislative model.

Methodological steps in research activity are:

Step 1. To identify information sources regarding topic of the research;

Step 2. To collect relevant information;

Step 3. To analyse collected information;

Step 4. To discuss results obtained by analysis;

Step 5. To produce analysis report;

Step 6. To create a proposal for the best legislative model regarding the implementation of MCs in Project partner countries HE.

## 2 Legal and Institutional framework of the Higher Education system in the Republic of Serbia

### 2.1 Legal framework of the education system in the Republic of Serbia

The higher education system of the Republic of Serbia is regulated by the following laws:

- The Law on Higher Education;
- The Law on the Dual Model of Studies in Higher Education;
- The Law on Regulated Professions and the Recognition of Professional Qualifications;
- The Law on the National Qualifications Framework (NQFS) of the Republic of Serbia.

The Law on Higher Education incorporates the principles of the Bologna Declaration and the Lisbon Convention. The Law on the Dual Model of Studies was adopted in September 2019 creating a legal basis for the introduction of a dual study model in which part of the study programme is implemented through work-based learning with an employer. National model of dual education was developed in accordance with the strategic measure that underlined necessity of involvement of employers in the process of programming, development and implementation of secondary vocational education and the planned measure from the Action Plan for the implementation of the Strategy which implies the development of the system for the accreditation and certification of the employers where practical training is carried out. The adoption of the Law on Dual Education in 2017 and relevant by-laws in 2018, as well as the involvement of companies and the increase in the number of qualifications implemented in accordance with dual education model are the indicators of a clear education policy aimed at implementation of regulated system of 'work-based learning'.

By adopting the Law on Regulated Professions and the Recognition of Professional Qualifications, the Directive 2005/36/EC on the recognition of professional qualifications was integrated in the legal system of the Republic of Serbia. In the process of drafting this law, which will enter into force after the accession of the Republic of Serbia to the EU, the need to regulate the fulfilment of the requirements for performing professions regulated by individual laws in almost identical way in order to timely prepare the system for the implementation of the Directive. Bearing that in mind, the Law on Professions of Special Interest for the Republic of Serbia and Conditions for their Performance was adopted, thus creating a legal basis for regulating special conditions regarding the minimum competencies required for performing professions of special interest for the Republic of Serbia, as well as the procedure and competent bodies for determining the fulfilment of the conditions for their performance. The application of this law will cease once the application of the Law on Regulated Professions and the Recognition of Professional Qualifications starts.

Bearing in mind that one of the strategic goals has been to increase the relevance of education, the development of the National Qualifications Framework in the Republic of Serbia, the adoption of the

NQFS Law and the establishment of NQF related institutional framework in 2018 have been identified as one of the key indicators of progress.

## 2.2 Institutional framework of the education system in the Republic of Serbia

### 2.2.1 Ministry of Education (MoE)

Competencies of MoE in the higher education are to:

- propose to the Government a higher education policy;
- at the proposal of the NCHE, plan the policy of enrolment of students to studies carried out by HEIs founded by the Republic;
- monitor the development of higher education;
- issue a license for work to HEIs;
- distribute financial resources from the budget of the Republic intended for HEIs and control their use;
- take care of the involvement of HEIs in the process of recognition of higher education qualifications in Europe;
- supervise the legality of implementation of standards for initial accreditation and accreditation of HEIs and study programmes, standards for self-evaluation and quality assessment of HEIs and standards for external quality assurance of HEIs;
- determine the procedure for external quality assurance of HEIs;

The MoE particularly takes care of harmonisation of the education system of the Republic of Serbia with trends of education development trends in Europe. To accomplish this goal, the MoE takes all necessary actions for:

- ensuring full participation in European Union cooperation programmes in the field of education and training and monitoring the effects of participation in these programmes;
- the participation of representatives of the Republic in the working groups and activities organized within the Open Method of Coordination, the Bologna Process and other similar initiatives that have been launched at the European Union level and Europe as a whole.

In order to participate as effectively as possible in European initiatives, the MoE cooperates with other state bodies, educational institutions, citizens associations and other organisations if necessary, and may appoint their representatives to working groups.

### 2.2.2 National Council for Higher Education (NCHE)

The NCHE<sup>1</sup> has 17 members appointed by the Government of the Republic of Serbia:

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<sup>1</sup> <http://nsvo.gov.rs/>

- six members having the rank of full-time professor, top experts with the title of scientific advisor, or artist with internationally recognized works or certified contribution to the national culture, considering the representation of educational-scientific, educational-artistic fields, as well as the representation of universities, at the proposal of the Conference of Universities;
- two members having the rank of professor of applied studies, at the proposal of the Conference of Academies of Applied Studies in Serbia (hereinafter: The Conference of Academies);
- seven members as top experts, or artists with internationally recognized works or certified contributions to the national culture, taking into account the representation of educational-scientific, and educational-artistic fields, at the proposal of the MoE;
- two members at the proposal of the Chamber of Commerce and Industry of Serbia.

In matters of importance for students, at the invitation of the NCHE, two student representatives designated by student conferences among students with an average grade at least eight participate in its work with the right to make decisions. When teaching is conducted in the language of a national minority completely or partially within the higher education, in the matters of importance for teaching in a national minority language a representative of the national council of the national minority in question also takes part in the NCHE's work with the right to make decisions. The term of NCHE's members lasts for four years, with the possibility of another election.

The member of NCHE cannot be a person elected, appointed or named to a position in a state body, autonomous province body or local self-government body, body of a political party or in a management body of a higher education institution, or a person who is a member of the Commission For Accreditation And Quality Assurance (hereinafter: the Commission For Accreditation) and a person employed by the National Entity for Accreditation and Quality Assurance in Higher Education.

NCHE has competence to:

1. monitor the development of higher education and its compliance with European and international standards and propose higher education policy to the MoE;
2. give opinion on the enrolment policy in HEIs and procedure for adoption of regulations governing the questions related to higher education;
3. propose to the Government norms and standards for the operations of HEIs, as well as material resources for their implementation, upon obtaining an opinion from the Conference of Universities of Serbia and the Conference of Academies of Applied Studies;
4. establish guidelines related to the organization, implementation of short study programmes and the issuance of an appropriate certificate;
5. decide in the second instance on the complaints in the accreditation process, at the proposition of an appeals board formed for each individual appeal;



6. at the proposal of the Conference of Universities of Serbia and the Conference of Academies of Applied Studies establish scientific, artistic and professional areas within fields<sup>68</sup>;
7. establish the list of professional, academic, scientific and artistic titles with an indication of the rank of the appropriate study cycle in the relevant areas and the abbreviations of professional, academic, scientific or artistic titles bilingual in Serbian and English;
8. at the proposal of the National Entity for Accreditation and Quality Assurance in Higher Education establish standards for initial accreditation of HEIs and study programmes, standards and procedures for accreditation of HEIs and study programmes, standards for self-evaluation and quality assessment of HEIs, and standards for external quality assessment of HEIs;
9. at the proposal of the Conference of Universities of Serbia and the Conference of Academies of Applied Studies establish minimum criteria for appointment to the rank of professor adopts the Foundations of the Code of Academic Integrity and the Conflict of Interest when Appointing to the Rank of Professor or Associate and Employing Staff in HEIs in the Republic of Serbia;
10. establish a list of study programme reviewers in the accreditation process through a public call. Professors of HEIs in the Republic, as well as professors of the appropriate rank from HEIs outside the territory of the Republic can be appointed reviewers. The list of reviewers is published on the NCHE's official website. The list of reviewers cannot not include a person elected, appointed or named to a position in a state body, autonomous province body or local self-government body, body of a political party, in a management body of a higher education institution, a member of the NCHE, the Commission for Accreditation and Quality Assurance or the person employed by the National Entity for Accreditation and Quality Assurance in Higher Education.

The NCHE meets with the Chamber of Commerce and Industry of Serbia at least twice a year, and once a year with the National Educational Council, the Council for Vocational Education and Adult Education and other professional associations to discuss issues within its competence and determine priorities in the implementation of higher education policy.

The work of the NCHE is public and is published for a given calendar year on the website. Funds for its work and the functioning of its working bodies are provided from the budget of the Republic. Expert, administrative-technical and IT tasks for the needs of the NCHE and its working bodies are performed by the MoE.

### 2.2.3 National Entity for Accreditation and Quality Assurance in Higher Education (NEAQA)

The role of performing the activities related to the accreditation, quality assurance of HEIs and their units, evaluation of study programmes and quality assurance in higher education in Serbia belongs to

the NEAQA<sup>2</sup>. It is financed by the revenues acquired through the accreditation and quality assurance of HEIs and their units' fees, evaluation of study programmes fees and quality assurance in higher education fees, as well as from other incomes in accordance with the law.

The executive body of the NEAQA is the director. The director is selected on the basis of a public competition, from the rank of full-time professor at the university who have experience in management and quality assurance in higher education. The director is elected for a term of five years, with the possibility of another election. Competence of the director, among other is to appoint reviewers from the list that NCHE determines at the proposal of the Commission for Accreditation and Quality Assurance.

The NEAQA managing authority is the Managing Board. The Managing Board has seven members, appointed by the Government, taking into account the representation of members of both sexes. One member of the Managing Board is proposed by the Conference of Universities in Serbia among the university full-time professors, one member is proposed by the Conference of Academies of Applied Studies in Serbia among the professors of applied studies, two members are proposed by the Chamber of Commerce and Industry of Serbia, and three are nominated by the MoE.

The members of the Managing Board are elected for a period of four years, with the possibility of another election. A member of the Managing Board cannot be a person elected, appointed or named to a position in a state body, autonomous province or local self-government body, to a body of political party, in a management body of a higher education institution, or a person who is a member of the NCHE, Commission for Accreditation and Quality Assurance or a person employed by the NEAQA.

Competences of the Managing Board are to:

1. elect and dismiss the Director of the NEAQA;
2. elect and dismiss the members of the Commission for Accreditation and Quality Assurance;
3. adopt the annual work program and financial plan;
4. adopt the Statute and regulations;
5. direct and supervise the activities of the director;
6. adopt the Code of Ethics and the Code of Conduct for persons working in the NEAQA, the members of the Commission for Accreditation and Quality Assurance and the reviewers;
7. determine the amount of accreditation fees with the Government's approval.

In addition to the documents mentioned above, all other information on the organisation and operation of NEAQA are publicly available and can be found on the website:

- organisation chart of the Agency and CV of the Director, members of the Management Board and members of the Commission for Accreditation and Quality Assurance;

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<sup>2</sup> <https://www.nat.rs/en/about-nat/>

- documents regarding Serbia's membership in the European Association for quality Assurance in Higher Education (ENQA), including the ENQA report on the reconfirmation of membership of the Commission for Accreditation and Quality Assurance in ENQA;
- accreditation outcomes of HEIs and study programmes in the Republic of Serbia, Accreditation outcomes of HEIs and study programmes in the Republic of Serbia and External quality control reports;
- list of Reviewers, Instruction Manual and Reporting Template and international activities.

#### 2.2.4 Commission for Accreditation and Quality Assurance (CAQA)

The CAQA is an expert body of NAEQA, which conducts the procedure of accreditation of HEIs and study programmes and the procedure of external quality assurance of HEIs, in accordance with the law and prescribed procedures and standards for accreditation and external quality control.

The CAQA has 17 members selected by the Managing Board of the NAEQA at the proposal of the NCHE, taking into account the representation of members of both sexes, as well as the representation of educational- scientific and educational-artistic fields. The CAQA members are elected for a term of five years. CAQA member cannot be a person elected, appointed or named to a position in a state body, an autonomous province or local self- government body, a body of political party or in a management body of a higher education institution, a person who is a member of the NCHE, nor a person employed by the NEAQA. A person who has been elected as a CAQA member and who is on the list of reviewers of the Conference of Universities in Serbia and the Conference of Academies of Applied Studies in Serbia, cannot perform the activities of a reviewer while having the CAQA mandate.

The CAQA competencies are to:

1. decide on the application for accreditation and conduct the procedure of accreditation of institutions and study programmes in the field of higher education;
2. prepare a report on the initial accreditation in the procedure for issuing a work permit;
3. conduct the external quality control procedure;
4. ensure the harmonisation of the implementation of standards and procedures in the field of accreditation, within the European Higher Education Area;
5. propose to the NAEQA Director reviewers from the list established by the NCHE.

#### 2.2.5 Qualifications Agency of Republic of Serbia (QARS)

QARS is a Government's professional organization established by the Law on the National Qualifications Framework of the Republic of Serbia, competent for developing qualification standards, recognition of foreign school and higher education documents, accreditation of organizations in the area of adult education – Publicly Recognized Organizers of Adult Education Activities (PROAEA). It provides support to the Council for the National Qualifications Framework and proposes quality

assurance measures throughout the entire education system. The most important QARS tasks in the implementation of the NQFS relate to reviewing initiatives for the introduction of new qualifications, providing professional support to the Sector Skills Councils and preparing proposals for qualification standards, maintaining the NQFS Register, external quality control of the PROAEA, monitoring and measuring the effects of the qualification implementation on employment and lifelong learning. The Agency submits an annual report to the Government of the Republic of Serbia and on request periodic reports to the MoE.

### 2.2.6 Sector Skills Council

Sector Skills Council is an expert and advisory body established on the principle of social partnership, whose main role is to carry out activities relevant to concrete qualifications within a certain sector, acquired in secondary, vocational, higher education and adult education. The Government of the Republic of Serbia issued decisions on the establishment of 12 Sector Skills Councils covering the sectors of education and economy. Mandatory institutionally delegated members of the Sector Skills Councils are the representatives of the Chamber of Commerce and Industry and representative associations of employers (representatives of entrepreneurs), Council for Vocational Education and Adult Education, National Employment Service, Conference of Universities of Serbia and Conference of Academies of Applied Studies, associations of vocational schools, the Ministry of Education, the ministry responsible for the area of work covered by the Sector Skills Council, trade unions, Institute for the Improvement of Education. Sector Skills Council reports annually to the Qualifications Agency, the Ministry of Education, Science and Technological Development and the Government of the Republic of Serbia.

### 2.2.7 Conference of Universities

The Conference of Universities was established to coordinate work, establish common policies, pursue common interests and carry out the tasks established by the law<sup>3</sup>. All accredited universities are the members of the Conference of Universities. The University is entitled to delegate one additional representative to the Conference of Universities for every 1,000 teachers and associates, and also to delegate another representative to the Conference of Universities for every 5,000 students. A University in the Conference of Universities is represented by the Rector. Competences of the Conference of Universities are to:

1. consider issues of common interest for the advancement of educational – scientific and educational – artistic activities at universities, harmonise attitudes and coordinate the activities of universities, especially in the field of enrolment policy, and propose measures to improve the financial position of universities and student standards;

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<sup>3</sup> <http://www.konus.ac.rs>

2. give opinion on quality standards for educational, scientific research, artistic and professional work;
3. propose candidates for members of the NCHE and the NAEQA Managing Board;
4. propose a list of professional, academic, scientific or artistic titles in the relevant fields, abbreviations and a description of the qualifications of those titles.

The work of the Conference of Universities is implemented through the Assembly and the Rector's Council and is based on the Statute. Funds for the work of the Conference of Universities are provided from the budget of the Republic.

### 2.2.8 Conference of Academies of Applied Studies in Serbia

The Conference of Academies of Applied Studies was established to coordinate work, establish common policies, pursue common interests and carry out tasks established by the law<sup>4</sup>. The Conference of Academies of Applied Studies consists of accredited College, Academies of Applied Studies and Colleges of Applied Studies. Academies of Applied Studies, and Colleges of Applied Studies are represented in the Conference of Academies of Applied Studies by the President or Director.

The competences of the Conference of Academies of Applied Studies are:

1. to discuss issues of common interest for the advancement of educational – professional and educational-artistic activities, harmonise attitudes and coordinate activities of academies of applied studies and colleges, especially in the field of enrolment policy, and propose measures to improve the material position of academies of applied studies and colleges and students' standard;
2. to give an opinion on quality standards of educational, research, artistic and professional work;
3. to propose a list of professional titles in the relevant fields, abbreviations and a description of the qualification of those names;
4. to propose candidates for members of the NCHE and the NAEQA Managing Board.

The work of the Conference of Academies of Applied Studies is implemented through the Assembly and is based on the Statute and the Rules of Procedure of the Assembly. Funds for the work of the Conference of Academies and Applied Studies are provided in the budget of the Republic.

### 2.2.9 Students Conferences

The Students Conference of Universities and the Students Conference of Academies of Applied Studies were established to pursue the common interests of students as partners in the process of implementation of higher education. The Students Conference of Serbian Universities is composed of representatives of university's student parliaments. The Students Conference of Academies of Applied

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<sup>4</sup> <http://www.konus.ac.rs>

Studies is composed of the representatives of student parliaments of academies of applied studies, colleges and colleges of applied studies.

Student conferences have the right to give an opinion on the standards for self- evaluation and quality assessment of HEIs, proposed by NAEQA and established by the NCHE.

The organisation and operation of student conferences is regulated by the Statute. Funds for the work of student conferences are provided from the budget of the Republic.

### 2.3 MCs legal framework in Serbia

Currently, the legal framework necessary for MCs implementation in Serbian HE do not exist. Hence, one of the specific goals of MICROGUIDE is to develop a Guidelines with the proposal for the best legal framework that will serve implementation of MCs in Serbian HE, which will be presented to the national policy makers and HEIs.

### 3 Legal and Institutional framework of the Higher Education system in Austria

#### 3.1 Relevant higher education laws<sup>5</sup>

##### 3.1.1 Universities Act 2002 (Universitätsgesetz 2002)

Under the Universities Act, the currently 21 Austrian universities were granted full autonomy. They have the status of legal entities under public law. The state, represented by the Ministry, still plays a statutory supervisory role and is the partner for the performance agreement with each university. Contracts, business transactions and recruitment will be managed by the universities on their own account. The senior bodies of the universities will be the university council, the rectorate and the senate.

##### 3.1.2 Private HEIs Act (Privathochschulgesetz, PHG)

Based on this act, which entered into force in 2021, private institutions can obtain accreditation as a private HEI by the Agency for Quality Assurance and Accreditation Austria; study programmes can be offered either in accordance with state programmes and degrees or without reference to them. This law provides general rules for accreditation and maintenance of private HEIs (private university colleges and private universities).

##### 3.1.3 Universities of Applied Sciences Act (Fachhochschulgesetz, FHG)

Based on this act which was adopted in 1993, public and private institutions can obtain accreditation as an university of applied sciences (“Fachhochschule”, FH) by the Agency for Quality Assurance and Accreditation Austria Provisions governing the official recognition of study programmes as “Fachhochschule” study programmes and conferral of the designation “Fachhochschule” (Universities of Applied Sciences) as university-level study programmes that provide a sound scientifically-based education with regard to certain fields of academic professions. Aims and guiding principles, access, academic degrees, tasks of the “Fachhochschule” Council, provider.

#### 3.2 Quality Assurance and Accreditation<sup>6</sup>

The laws relevant to quality assurance in the field of tertiary education are the University Act, the Act on the Organisation of University Colleges of Teacher Education, the Universities of Applied Sciences Act, the Private Higher Education Institutions Act, and the Act on Quality Assurance in Higher Education. Federal Act on the External Quality Assurance in Higher Education and the Agency for Quality Assurance and Accreditation Austria (Act on Quality Assurance in Higher Education) (Hochschul-Qualitätssicherungsgesetz, HSQSG 2011) Provision of the following elements (by this act): a cross-sectoral law on external quality assurance; establishment of the Agency for Quality Assurance and

<sup>5</sup> <https://eurydice.eacea.ec.europa.eu/national-education-systems/austria/higher-education>

<sup>6</sup> <https://www.aq.ac.at/en/about-us/responsibilities.php>

Accreditation Austria, integrating the former agencies (AQA, FH Council, Accreditation Council) in 2012, framework for quality assurance procedures across sectors (e.g. obligation to publish outcome of procedures, possibility of certification or accreditation, etc.), audit areas outlined by law, details defined by the Agency, quality assurance procedures for audit or accreditation, installation of a student ombudsman office as an information and service centre for all students at HEIs, notification procedures for degree programmes provided by foreign HEIs in Austria.

According to the Federal Act on External Quality Assurance in Higher Education, public universities and universities of applied sciences must be evaluated through external audits, whether by an agency listed in the European Quality Assurance Register for Higher Education (EQAR) or another internationally recognised and independent quality assurance agency. Private HEIs have to be accredited by the AQ Austria.

In 2012, the Agency for Quality Assurance and Accreditation Austria (AQ Austria) was established as an agency for quality assurance for Austrian HEIs on the basis of the Act on Quality Assurance in Higher Education (HS-QSG).

AQ Austria is responsible for<sup>7</sup>:

- developing and carrying out external quality assurance procedures, as a minimum, audit and accreditation procedures, according to national and international standards;
- accrediting HEIs and degree programmes;
- continuously supervising accredited HEIs and degree programmes regarding accreditation requirements;
- reporting to the NCHE and publishing reports on the outcomes of the quality assurance procedures;
- fulfilling the tasks according to the statutory provisions of the University of Applied Sciences Studies Act (FHG) and the Private Universities Studies Act (PrivHG);
- issuing certificates for educational institutions upon an audit;
- conducting studies and system analyses, performing reviews, and carrying out projects;
- providing information and advice in matters related to quality assurance and quality improvement;
- notification of foreign degree programmes;
- international co-operation in the field of quality assurance;



The HEIs bear the main responsibility for the quality of their activities and for quality assurance and improvement.

<sup>7</sup> <https://www.aq.ac.at/en/>



AQ Austria understands its procedures as supplementary to an HEI's internal quality assurance. It is independent in what it does and not bound by any instructions. Decisions in quality assurance procedures are made exclusively in accordance with quality criteria.

Quality assurance procedures are modelled on international good practice standards, especially the Standards and Guidelines for Quality Assurance in the European Higher Education Area (ESG).

Cooperation with HEIs and other interested parties is the basis for the development of procedure rules and standards or criteria.

### 3.3 Development of MCs in Austria

According to the Ministry of Education, Science and Research (BMBWF) in Austria as stated in the Position paper of Austrian Higher Education: *“Austrian higher education takes a positive view of the European developments in MCs, especially in the context of the increasingly important lifelong learning, and sees this as an opportunity for the universities to expand the quality of their educational offerings, open up new target groups and expand cooperation with non-university partner institutions. This can be an important contribution to strengthening the position of the universities in the intensifying competition on the education market.”*

The Austrian national approach according to Mr. Stephan De Pasqualin, DG Higher Education/European Higher Education Area from BMBWF started with a working group which consists of representatives from all four higher education sectors, AQ Austria and the ministry. The tasks were to prepare the Position paper (stated above), accompanying the European discussions and plan the implementation phase in Austria. Integration of NQF is also one of the major issues in the working group.

Here are some of the key points from the Position paper:

- The definition of micro-credentials should be as general as reasonable and yet as precise as possible, so that all stakeholders can act from this common basis.
- HEI see the MCs in all spheres of the educational society in the spirit of lifelong learning, training, reskilling and upskilling as part of the further education.
- The main component of the design of MCs is the common agreement on MC setup and possible parameters such as: ECTS, title, description, target groups, examination/assessment, quality assurance, etc.
- Agreed extent of hours – as credit points.
- Mutual recognition among universities.
- As it is linked to ECTS points, it should be in the hands of higher education sector.

### 3.3.1 Quality assurance and micro-credentials

The quality assurance of micro-credentials in the higher education sector is based on the national quality assurance mechanisms and the ESG principles. The quality assurance of micro-credentials must be ensured by the university's internal QM system.

### 3.3.2 Micro-credentials and the NQF

According to the statement of the Austrian working group on MCs and the position paper the micro-credentials should not be assigned to the NQF due to the low workload.

## 3.4 References and links to important regulations, laws, and agreements

1. [Fachhochschul-Studiengesetz \(FHG\) \(Bundesgesetz\)](#)
2. [Hochschülerinnen- und Hochschülerschaftsgesetz 2014 \(HSG 2014\) \(Bundesgesetz\)](#)
3. [Hochschul-Qualitätssicherungsgesetz \(HS-QSG\) \(Bundesgesetz\)](#)
4. [Hochschul-Zulassungsverordnung \(HZV\) \(Verordnung\)](#)
5. [Hochschulcurricula-Verordnung \(HCV 2013\) \(Verordnung\)](#)
6. [Privathochschulgesetz \(PrivHG\) \(Bundesgesetz\)](#)
7. [Qualitätssicherungsrahmengesetz \(QSRG\) \(Bundesgesetz\)](#)
8. [Universitätsgesetz 2002 \(UG 2002\) \(Bundesgesetz\)](#)
9. [Council recommendation on a European approach to micro-credentials for lifelong learning and employability \(2022/C 243/02\); Council of the European Union, 16.6.2022](#)

## 4 Legal and Institutional framework of the Higher Education system in Germany

### 4.1 Basic legal regulations in education

In the Federal Republic of Germany responsibility for the education system is determined by the federal structure of the state.

Under the Basic Law (Grundgesetz – R1) the exercise of governmental powers and the fulfilment of governmental responsibility is incumbent upon the individual federal state (Länder), as far as the Basic Law does not provide for or allow for any other arrangement.

The Basic Law contains a few fundamental provisions on questions of education, culture and science: thus, for example it guarantees the freedom of art and scholarship, research and teaching (Art. 5, Paragraph 3), the freedom of faith and creed (Art. 4), free choice of profession and of the place of training (Art. 12, Paragraph 1), equality before the law (Art. 3, Paragraph 1) and the rights of parents (Art. 6, Paragraph 2). The entire school system is under the supervision of the state (Art. 7, Paragraph 1). Thus, unless the Basic Law (Grundgesetz – R1) awards legislative powers to the Federation, the Länder have the right to legislate.

Within the education system, this applies to the school sector, the higher education sector, adult education, and continuing education. Administration of the education system in these areas is almost exclusively a matter for the Länder. Detailed regulations are laid down in the constitutions of the Länder (R13–28) and in separate laws of the Länder on early childhood education, on the school system, on higher education, on adult education and on continuing education. Responsibility for the remuneration and pensions of civil servants (e.g. teachers, professors and junior professors) also lies with the Länder.

The scope of the Federal Government's responsibilities in the field of education is defined in the Basic Law, according to which the Federation bears responsibility particularly for the regulations governing the following domains of education, science and research:

- In-company vocational training and vocational further education
- Admission to higher education institutions and higher education degrees (here the Länder may enact laws at variance with the legislation of the Federation)
- Financial assistance for pupils and students
- Promotion of scientific and academic research and technological development
- Child and youth welfare (in particular early childhood education and care in day-care centres and child-minding services)
- Legal protection of participants of correspondence courses
- Regulations on entry to the legal profession

- Regulations on entry to medical and paramedical professions
- Employment promotion measures as well as occupational and labour market research

Furthermore, the Federation has legislative authority over the status-related rights and duties of civil servants, as well as the legislative authority over foreign affairs. In addition to the division of responsibilities described above, the Basic Law also provides for particular forms of cooperation between the Federation and the Länder within the scope of the so-called joint tasks (Gemeinschaftsaufgaben). Pursuant to Article 91b, Paragraph 1 of the Basic Law, the Federation and the Länder may mutually agree to cooperate in cases of supra-regional importance in the promotion of science, research and teaching. Additionally, pursuant to Article 91b, Paragraph 2 of the Basic Law, the Federation and the Länder may mutually agree to cooperate for the assessment of the performance of educational systems in international comparison and in drafting relevant reports and recommendations.

Furthermore, pursuant to Article 91c, the Federation and the Länder may cooperate in planning, constructing, and operating information technology systems needed to discharge their responsibilities.

#### 4.2 Basic legal regulations in education: private institutions

The Framework Act for Higher Education (Hochschulrahmengesetz – R123) and the Länder laws governing higher education (Hochschulgesetze – R129–144) stipulate what minimum requirements have to be satisfied if non-public institutions are to be recognised as institutions of higher education by the state.

The Länder alone are responsible for awarding recognition to non-public institutions. The Federation and the Länder have agreed that non-public institutions are to be accredited by the Science Council (Wissenschaftsrat).

Official recognition by the respective federal state is dependent on proof of that the non-public higher education institution is of equivalent status (not identical in form) to state higher education institutions. Therefore, there is a whole list of points where the non-public institution must prove that it satisfies the demands, the standards and the performance of a comparable state institution.

#### 4.3 Key drivers of the HE system in Germany

The Standing Conference of the Ministers of Education and Cultural Affairs is the oldest conference of ministers in Germany and plays a significant role as an instrument for the coordination and development of education in the country. It is a consortium of ministers responsible for education and schooling, institutes of higher education and research and cultural affairs, and in this capacity formulates the joint interests and objectives of all 16 federal states.

The agenda of the Standing Conference of the Ministers of Education and Cultural Affairs is to address “educational, higher education, research and cultural policy issues of supraregional significance with the aim of forming a joint view and intention and of providing representation for common objectives”. One of the essential duties of the Standing Conference of the Ministers of Education and Cultural Affairs is to use consensus and cooperation as a vehicle for securing the highest achievable level of mobility for learners, students, teachers and those involved in academic research. It is also charged with the tasks of helping create equal living conditions across Germany and of representing and promoting the joint interests of the federal states in the field of culture.

It is an important instrument for asserting the joint interests of the federal states vis-à-vis the Federal Government, the European Union, the Council of Europe, the OECD and the United Nations. The Standing Conference of the Ministers of Education and Cultural Affairs also has the task of presenting and advocating the common positions of the federal states in the fields of education, research and culture.

The Higher Education Framework Act (HRG ) is a framework law on higher education law enacted to regulate higher education in the Federal Republic of Germany . Since cultural and scientific sovereignty in Germany lies with the federal states and the corresponding details are regulated in the state higher education laws, the federal government was only allowed to make use of its framework legislative competence according to Art. 75 Para. 1 No. 1a of the old version of the Basic Law until September 1, 2006. The law continues to apply as the previous federal framework law (Art. 125a and Art. 125b of the Basic Law). Future amendments can only repeal it (even partially).

The education report for Germany is published every two years. The federal states and the federal government thus create the basis for a focused presentation of essential lines of development, services and tasks of the education system in the Federal Republic of Germany. The joint education reporting by the federal and state governments is a fundamental element of the overall strategy of the Conference of Ministers of Education for education monitoring.

## 4.4 IMPLEMENTATION OF MICRO-CREDENTIALS IN GERMANY: LEGAL ASPECT

### 4.4.1 Overview of qualification forms close to micro-credentials

On the basis of the criteria for micro-credentials and their goals which are set out in the definition contained in the EU draft Recommendation, it is possible to identify existing qualification formats in Germany which can be described as micro-credentials.

Acquisition of partial qualifications, for example, considerably increases flexibility along the route to a vocational qualification. Adults aged over 25 have had the opportunity to achieve such qualifications in a module-by-module way since 2013. Participants receive a certificate after each module. When all modules have been passed, they are able to obtain a qualification for the entire training occupation in question via an external examination (§ 45 Paragraph 2 Vocational Training Act, BBiG).

After completion of training, advanced vocational training governed by standardised national regulations and numerous so-called chamber regulations provide a flexible opportunity to acquire further professional competencies which focus on regional requirements. Such learning is also certified, legally regulated, established and recognised accordingly on the labour market. Although duration of learning varies, it can in overall terms be designated as “short”. The agreement between the German Confederation of Trade Unions (DGB) and the German Employers’ Organisation for Vocational and Further Training (KWB) (2008) discusses a learning process of at least 200 hours in order to prepare for the examination. However, like the additional qualifications, these cannot be accumulated in a way which leads to a formal qualification.

The validation procedure developed by the chambers in the ValiKom Transfer project represents a further example of a route outside the usual education and training pathway via which a certificate can be acquired confirming competencies gained by informal and non-formal means and which can be used by participants on the labour market. This provides an opportunity, via external evaluation, to obtain validation from the chambers of competencies not achieved within the formal education and training system. Missing competencies can be acquired in a targeted way, and a validation certificate will then ultimately be issued in order to attest full equivalence with the reference occupation. Participation in such a procedure is open to those aged over 25 with the requisite occupational experience.

#### 4.4.2 Establishment of new educational courses

The establishment of new study courses may require agreement with the responsible Land ministry. As a rule, the establishment of new study courses takes place within the framework of agreements on targets and performance in which the Land ministry and the higher education institution agree on developments inter alia in research and teaching. The study regulations, which are laid down for all study courses by the higher education institutions on the basis of the corresponding legal requirements, are as a rule approved by the governing boards of the higher education institutions; some must be announced to or have the approval of the responsible ministry.

In order to guarantee standards in terms of academic content and form as well as the professional relevance of the new Bachelor’s and Master’s degrees, in December 1988 the Standing Conference of the Ministers of Education and Cultural Affairs adopted an accreditation procedure. The procedure was newly regulated in December 2016 with the State Treaty on the Accreditation of Studies (Studienakkreditierungsstaatsvertrag – R127), which came into force at the beginning of 2018. Accordingly, higher education institutions make use of an agency registered with the European Quality Assurance Register for Higher Education (EQAR) and accredited by an independent Accreditation Council for the purpose of assessment.

In the field of continuing education we find, more than anywhere else in the education system, a large number of different institutions and offers side by side – and also collaborating wherever necessary – run by the public and the private sector, non-profit making and commercial organisations, employers' and public institutions.

The independence of institutions active in the field of continuing education, the freedom to organise courses as they see fit and to select their own staff are guaranteed as conditions essential to a continuing education set-up according with the interests of the community and its members.

Responsibility for further vocational training as regulated by the Vocational Training Act (Berufsbildungsgesetz – R81) and the Handicrafts Code (Handwerksordnung – R82) lies with the Federal Ministry of Education and Research (Bundesministerium für Bildung und Forschung – BMBF). Further training courses for which there is a regional need only are regulated by the competent bodies, generally the relevant chambers (e.g. chambers of handicrafts, chambers of industry and commerce), under their own responsibility. Responsibility for the master craft examinations as regulated by the Handicrafts Code lies with the Federal Ministry for Economic Affairs and Energy (Bundesministerium für Wirtschaft und Energie). The funding of continuing education by all involved reflects the complex pattern of responsibility for this sector.

#### 4.5 References and links to important regulations, laws, and agreements

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2. Bundesrat [Federal Council, German Upper House]: Beschluss des Bundesrates. Mitteilung der Kommission an das Europäische Parlament, den Rat, den Europäischen Wirtschafts- und Sozialausschuss und den Ausschuss der Regionen: Europäische Kompetenzagenda für nachhaltige Wettbewerbsfähigkeit, soziale Gerechtigkeit und Resilienz COM(2020) 274 final. Drucksache 395/20 in Verbindung mit Vorschlag für eine Empfehlung des Rates zur beruflichen Aus- und Weiterbildung für nachhaltige Wettbewerbsfähigkeit, soziale Gerechtigkeit und Resilienz COM(2020) 275 final. Drucksache 399/20.. 2020 – URL: [www.bundesrat.de/SharedDocs/beratungsvorgaenge/2020/0301-0400/0395-20.html](http://www.bundesrat.de/SharedDocs/beratungsvorgaenge/2020/0301-0400/0395-20.html)
3. Council of the European Commission: Recommendation on a European approach to micro-credentials for lifelong learning and employability of 16 June 2022 (2022/C 243/02) – URL: [https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:32022H0627\(02\)](https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:32022H0627(02))
4. DGB; KBW (Eds.): Weiterbildung immer wichtiger. Vereinbarung zur beruflichen Fortbildung gemäß § 53/54 BBiG und § 42/42 a HwO. Berlin/Bonn (amended version) 2008 – URL:

- [www.kwb-berufsbildung.de/fileadmin/pdf/2008\\_Fortschreibung\\_Fortbildungsvereinbarung\\_DGB\\_KWB.pdf](http://www.kwb-berufsbildung.de/fileadmin/pdf/2008_Fortschreibung_Fortbildungsvereinbarung_DGB_KWB.pdf)
5. [European Commission: Europäische Kompetenzagenda für nachhaltige Wettbewerbsfähigkeit, soziale Gerechtigkeit und Resilienz. Mitteilung der Kommission an das europäische Parlament, den Rat, den europäischen Wirtschafts- und Sozialausschuss und den Ausschuss der Regionen; COM/2020/274 final. 2020 – URL: <https://eur-lex.europa.eu/legal-content/DE/TXT/PDF/?uri=CELEX:52020DC0274&from=EN>](#)
  6. [European Commission: Proposal for a Council Recommendation on a European approach to micro-credentials for lifelong learning and employability; COM\(2021\) 770 final. 2021 – URL: <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A52021DC0770>](#)
  7. [European Commission: A European approach to micro-credentials. Output of the micro-credentials higher education consultation group 2020. Brussels 2020 – URL: <https://education.ec.europa.eu/sites/default/files/document-library-docs/european-approach-micro-credentials-higher-education-consultation-group-output-final-report.pdf>](#)
  8. [European Commission: A European approach to micro-credentials for lifelong learning and employability. Summary of the Open Public Consultation. Brussels 2022.](#)
  9. [Gutschow, K.; Lorig, B.: Kodifizierte Zusatzqualifikationen – Ziele, Modelle und Verbreitung. In: BWP 51 \(2022\) 3, pp. 27-30 – URL: \[www.bwp-zeitschrift.de/dienst/veroeffentlichungen/de/bwp.php/de/bwp/show/17965\]\(http://www.bwp-zeitschrift.de/dienst/veroeffentlichungen/de/bwp.php/de/bwp/show/17965\)](#)
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  11. [SPD, BÜNDNIS 90/DIE GRÜNEN and FDP: Mehr Fortschritt wagen. Bündnis für Freiheit, Gerechtigkeit und Nachhaltigkeit. Berlin 2021 – URL: \[www.bundesregierung.de/resource/blob/974430/1990812/0422\\\_1173eef9a6720059cc353d759a2b/2021-12-10-koav2021-data.pdf\]\(http://www.bundesregierung.de/resource/blob/974430/1990812/0422\_1173eef9a6720059cc353d759a2b/2021-12-10-koav2021-data.pdf\)](#)



## 5 Legal and Institutional framework of the Higher Education system in Spain

### 5.1 Organic Law of Universities

University education is regulated by Organic Law 6/2001 on Universities (LOU), as amended by Organic Law 4/2007. The last modification on the text of the Law 6/2001 was done in December 2021<sup>8</sup>. This is the second law that regulates universities in Spain after the restoration of democracy.

The rest of the studies are regulated by Organic Law 2/2006 on Education (LOE)<sup>9</sup>, as amended by Organic Law 3/2020 (LOMLOE)<sup>10</sup>.

The organic law of universities establishes the general framework that regulates the mission, organization and government of universities. It is organized in the following chapters, that gives an overview of the scope of the law:

- On the functions and autonomy of the Universities
- On the structure of the Universities
- On the Government and representation of the Universities
- Coordination, cooperation and university collaboration
- On the evaluation and accreditation
- On the teachings and titles
- On the university research and knowledge transfer
- On the students
- On the teaching staff
- On the administration and services staff of public universities
- On the economic and financial regime of public universities
- On centers abroad or that teach according to foreign educational systems
- European Higher Education Area
- On sport and university extension

This law is complemented by other laws, royal decrees and regulations that develop the different aspects to which it refers.

This law does not mention micro-credentials at any point since they did not exist as such at the time it was developed, in 2001.

<sup>8</sup> <https://www.boe.es/buscar/act.php?id=BOE-A-2001-24515>

<sup>9</sup> <https://www.boe.es/buscar/act.php?id=BOE-A-2006-7899>

<sup>10</sup> [https://www.boe.es/diario\\_boe/txt.php?id=BOE-A-2020-17264](https://www.boe.es/diario_boe/txt.php?id=BOE-A-2020-17264)

## 5.2 Organization of university teaching and the quality assurance procedure

The Organic Law of universities is complemented with the Royal Decree 822/2021<sup>11</sup>, published on September 29, which establishes the organization of university education and the quality assurance procedure. This Royal Decree substituted the RD 1393/2007<sup>12</sup>, that established the organization of the university studies in the framework of the EHEA.

The main novelties introduced by the RD 822/2021 are:

### 1. COMMON PROVISIONS FOR UNIVERSITY DEGREES AND MASTER'S DEGREES

- a. Three modalities of studies are introduced:
  - Face-to-face (without non-face-to-face credits).
  - Hybrid or blended (between 40% and 60% of non-face-to-face credits).
  - Virtual or non-face-to-face (more than 80% of non-face-to-face credits).

Therefore, the text does not contemplate plans in which the percentage of non-contact credits is less than 40 or strictly between 60 and 80.

- b. The possibility of increasing the percentage of recognized credits is opened

In general, as in the system in force up to now, the number of credits recognized for professional and work experience and credits passed and taken in university studies proper to universities or other official higher education may not exceed 15% of the total number of credits. credits of the study plan, except in the case of credits from unofficial titles that have expired, in which case it may reach 100%. However, through an agreement between a university and a higher-level vocational training center, the proportion of recognizable credits, in relation to the total credits of the study plan, may reach 25%.

- c. "Specific curricular structures". They may be incorporated into the study plans at the discretion of each university and will be reflected in the European Title Supplement.
- d. Methodological strategies of specific and differentiated teaching innovation that lead to the globality of an official university degree.

The global proposals for teaching innovation may be reflected in the European Title Supplement and be recognized by the student body through a certificate or similar document. These proposals may be teaching through the flipped classroom, work-based learning through projects or practical cases, the development of collaborative and cooperative work, learning based on the ability to solve problems, multilingual skills, articulated teaching in the intensive use of digital information and communication technologies, and other initiatives promoted by the university or the

<sup>11</sup> <https://www.boe.es/buscar/doc.php?id=BOE-A-2021-15781>

<sup>12</sup> <https://www.boe.es/buscar/act.php?id=BOE-A-2007-18770>

center. The RD does not specify the applicable procedures in the event that the imposition by the university of a specific teaching methodology is not accepted by the teaching staff concerned.

## 2. DUAL MENTION

The RD contemplates mentions, in general, for degrees. In the case of university master's degrees, the Dual Mention is the only possible one.

This mention involves a common training project that is developed in a complementary manner in the university center and in a collaborating entity, which may be a company, a social or union organization, an institution or an administration, under the supervision and training leadership of the university center.

The percentage of credits that are developed in the collaborating entity will be:

- Between 20 and 40 in Degree titles.
- Between 25 and 50 in Master's Degrees.

These percentages must include the Final Degree Thesis (TFG, as known in Spain) or the Final Master Thesis (TFM, as known in Spain).

The training activity carried out in a dual way at the university and the collaborating entity will alternate with a paid work activity, through a contract for dual university training, in the terms established in article 11.3 of the consolidated text of the Statute Law of Workers, approved by Royal Legislative Decree 2/2015<sup>13</sup>, of October 23, and in its implementing regulations, as well as in the rest of the labor regulations that are applicable to it.

The student who has chosen to take the Dual Mention within a Bachelor's Degree or University Master's degree may, if he deems it appropriate, abandon it and return to the general itinerary provided that he has not exceeded half of the credits defined for obtaining the Dual Mention in the respective study plan.

## 3. DEGREE STUDIES

a. The degrees will be 240 ETCS with two exceptions:

- When the European guidelines for the specific studies require that they have 300 or 360.
- International joint degrees arising within the framework of the calls of the European Universities Alliances of the European Commission and the international joint degrees referred to in the 6th additional provision.

Those of 240 will include a minimum of 60 basic training credits.

Until now grades could have any number of credits in the range 180-240.

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<sup>13</sup> <https://www.boe.es/buscar/act.php?id=BOE-A-2015-11430>

Credits may be recognized for participation in cooperation, solidarity, cultural, sports and student representation activities, which together will be equivalent to at least 6 credits. These credits, together with those that can be recognized for teaching activities organized by the university, may not exceed 10% of the total (this limit did not exist previously).

The credits for curricular external practices cannot exceed 25% of the total, as up to now, except for EU regulations and in degrees with a dual mention.

The number of ECTS of the TFG is between 6 and 10% of the total (until now, the maximum was 12.5%).

A grade can have mentions. The mention is defined as "a curricular intensification or specific itinerary around a certain formative aspect of the set of knowledge, skills and abilities that make up the study plan of said title, and that complement the general formative project of the Degree". This definition replaces that of RD 1393/2007: "The design of the Bachelor's degrees may incorporate references to itineraries or curricular intensifications."

A mention will have at least 20% of the total credits (the RD up to now in force did not include a similar provision).

b. Degrees with open itinerary.

This is a figure not contemplated in the RD 1393/2007. They will have between 60 and 120 ECTS common to two or more degrees. They will be regulated by the universities without the need for external verification or accreditation. The offer of places is limited to 10% of the lowest of the offers of the studies involved.

#### 4. MASTER STUDIES

a. University master's degrees must have 60, 90 or 120 ECTS (until now, any value between 60 and 120).

They can have specialties, like up to now. The RD includes the novelty of limiting the number of credits that make up the specialty to 50% of the total.

The credits corresponding to external curricular internships cannot exceed one third of the total (until now no limit was specified).

Access requirements are relaxed. Universities will be able to approve specific regulations so that undergraduate students with a maximum of 9 credits remaining to defend the TFG can access a university master's degree.

In the case of academic programs with successive courses in the field of Engineering and Architecture, Universities may offer, as a "pilot teaching experience", programs that link a Bachelor's degree and a Master's degree oriented towards professional

specialization, maintaining their differentiation and structural independence. Universities may establish, a procedure for access to the official Master's Degree studies of these programs without having passed the linked Degree. This procedure will consist of allowing a student of a linked degree that remains to pass the TFG and one or more subjects, to access and enroll in the linked University Master provided that TFG and subjects may not exceed 30 ECTS credits.

#### 5. DOCTORATE

The two articles that refer to doctorate refer to Royal Decree 99/2011<sup>14</sup>, that develops all the regulation that refers to doctorate.

#### 6. OWN TITLES

The RD establishes for the first time a "basic regulation" of the own titles inserted in the field of permanent training<sup>15</sup> (LLL). Only the following paragraphs of this section 5 refer to them, since own titles not belonging to the scope of LLL are not regulated in the RD.

This type of teaching may be taught by permanent training centers or institutes, university foundations, faculties or schools, whether owned or affiliated, as well as research institutes, based on those established in the respective Statutes or Rules of organization and operation of the university.

For all permanent training courses, there must be at least one professor from the university in which they are taught as responsible for the course, and may have co-directors from other universities, professionals of recognized prestige, staff from social and business organizations or entities, or members of other administrations.

Teachings that require a previous university degree must be differentiated from those that do not. Namely:

- Previous university qualifications are required:
  - o Master's Degree in Permanent Training (60, 90 and 120 ECTS credits). The Master's Degree in Permanent Training must necessarily have a favorable report from the University's Internal Quality Assurance System, which will be binding on it.
  - o Specialization Diploma (between 30 and 59 credits).
  - o Expert Diploma (up to 29 credits).
- Previous university qualifications is not required:
  - o Certificate with the name of the respective course (with a maximum load of 30 ECTS credits).

<sup>14</sup> <https://www.boe.es/buscar/act.php?id=BOE-A-2011-2541>

<sup>15</sup> "Permanent Training" is the term used in Spain for "Life-Long Learning"

Universities may use other names for their permanent training titles, except in the case of the Master's Degree in Permanent Training, which will always have this name.

At this point is where a reference to micro-credentials is introduced. In particular, it says that universities may teach their own courses of less than 15 ECTS that require or not a previous university degree, in the form of **microcredentials or micromodules**.

The governing bodies of the universities must annually approve the teaching conditions, the available places, the study plan, the participation of the university's own and external teaching staff, and the prices of said titles.

#### 7. QUALITY ASSURANCE OF OFFICIAL UNIVERSITY EDUCATION

Refers to procedures for verification, monitoring, modification and accreditation of official qualifications. The RD expedites these procedures especially in the case of accredited centers. In the commissions to verify the quality of a plan university students must participate and representatives of society chosen for their relationship with the thematic area of the title evaluated may participate.

In the event that a favorable final report results, this may incorporate some relevant aspect on which the administrations, universities and agencies must carry out a follow-up.

If in 2 years the degree is not implemented and teaching begins, the initial accreditation will be considered revoked, and the extinction of the degree will be processed.

### 5.3 References to micro-credentials in legal framework

The main reference to micro-credentials appears in the RD 822/2021, in the part that develops lifelong learning education (Article 37 Permanent formation:

- Likewise, universities may provide their own courses of less than 15 ECTS that require or do not require a previous university degree, in the form of **micro-credentials or micro-modules**, which allow certifying learning results linked to short-term training activities. In no case can these teachings be confused with the qualifications offered by the Vocational Training centers of Intermediate Level or Higher Level.
- The university will guarantee the quality and academic and scientific rigor of the permanent training titles, this being the responsibility of the internal quality assurance systems determined by the university institution. Specifically, in the case of the Master's Degree in Permanent Training, prior to its approval by the governing bodies, it must necessarily have a favorable report from the Internal Quality Assurance System of the university, which will be binding on it. Once this favorable report has been obtained, the university may request its inclusion in the RUCT, always with the name of Master of Permanent Training in the subject considered.

## 6 Conclusion

In Austria, micro-credential implementation in higher education is regulated by same laws that govern regular study programs. In addition to the legal framework, there are also quality assurance agencies in Austria that ensure the quality of higher education institutions and programs. AQ Austria is responsible for the external quality assurance of higher education institutions and programs in Austria, providing accreditation to institutions that meet the required standards. Overall, the legal framework in Austria supports the implementation of micro-credentials in higher education, with some shortcomings such as the statement of the Austrian working group on MCs and the position paper claiming that micro-credentials should not be assigned to the NQF due to the low workload.

In Germany, micro-credential implementation in higher education is not explicitly regulated by German law. However, they can be recognized as part of the regular higher education programs or offered as continuing education courses by universities and other educational institutions. The recognition of micro-credentials as part of regular higher education programs requires the approval of the responsible accreditation agency in each federal state. Furthermore, the German Qualifications Framework (Deutscher Qualifikationsrahmen or DQR) provides a reference framework for the recognition of qualifications obtained in different learning contexts, including micro-credentials. Overall, while the legal framework for micro-credential implementation in higher education in Germany is not yet fully developed, there are various initiatives and frameworks in place to support the development and recognition of micro-credentials as a valuable component of higher education and lifelong learning.

In Spain, the legal framework for higher education is established by the Organic Law on Universities. This law sets out the basic principles of the Spanish university system, including the organization, structure, and governance of universities. The law also establishes the different levels of degrees that can be awarded by Spanish universities, including bachelor's degrees, master's degrees, and doctoral degrees. Micro-credentials, or short-term educational programs that focus on specific skills or competencies, are not currently regulated under Spanish law. However, universities in Spain are free to offer micro-credentials as part of their continuing education programs or as stand-alone courses. These programs can be designed to meet the needs of specific industries or professions and can be used to demonstrate mastery of a particular skill or competency. Overall, while there is no specific legal framework for micro-credentials in Spain, universities are free to offer these programs as part of their continuing education offerings. However, any micro-credential program offered by a Spanish university must comply with relevant laws and regulations, including those related to intellectual property and data protection.

SERBIA

In Serbia, higher education is regulated by the Law on Higher Education, which was last amended in 2019. The law sets out the basic principles and standards for higher education institutions, including requirements for academic programs, quality assurance, accreditation, and financing. The law also establishes the National Council for Higher Education, which is responsible for the development and implementation of policies related to higher education. Nevertheless, regarding micro-credential implementation in higher education Serbia does not have specific regulations that address this concept. While the Serbian Qualifications Framework provides a framework for the recognition and comparison of qualifications at all levels of the education system, it does not include micro-credentials since the main recognition request is that certain programs must already exist in the Serbian higher education. Overall, while Serbia does not have specific regulations for micro-credential implementation, there are legal frameworks in place that could, with some improvements, support the micro-credentials.

## 7 Proposal for a best legislative model

Having said all above, the best legislative model must follow all the basic features of micro-credentials that the European Commission establishes for all the member states, and it must be a simple adaptation to the peculiarities of the university system of each country.

The main aspects that the regulation must include are:

1. A clear definition in line with the European Commission proposal: A micro-credential is a proof of the learning outcomes that a learner has acquired following a short learning experience.
2. These learning outcomes must be assessed against transparent standards, on the first place by the EU Standard of constitutive elements of micro-credentials<sup>16</sup>:
  - Identification of the learner;
  - Title of the micro-credential;
  - Country/region of the issuer;
  - Awarding body;
  - Date of issuing;
  - Notional workload needed to achieve the learning outcomes (in ECTS, wherever possible);
  - Level (and cycle, if applicable) of the learning experience leading to the micro-credential (EQF and/or national qualifications framework; Overarching Framework of Qualifications of the European Education Area);
  - Learning outcomes;
  - Form of participation in the learning activity (online, onsite or blended, volunteering, work experience);

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<sup>16</sup> <https://education.ec.europa.eu/sites/default/files/document-library-docs/european-approach-micro-credentials-higher-education-consultation-group-output-final-report.pdf>



- Prerequisites needed to enrol in the learning activity;
  - Type of assessment (testing, application of a skill, portfolio, recognition of prior learning, etc.);
  - Quality assurance, including the learning content;
  - Integration/stackability options (standalone, independent micro-credential/integrated, stackable towards another credential);
  - Further information.
3. The proof must be certified document that lists the name of the holder, the achieved learning outcomes, the assessment method, the awarding body and, where applicable, the qualifications framework level and the credits gained. Since micro-credentials are owned by the learner, they can be shared, be portable, and may be combined into larger credentials or qualifications.