

The Education System in the Federal Republic of Germany 2017/2018

**A description of the responsibilities, structures and
developments in education policy for the exchange of information in Europe**

– EXCERPT –

2. ORGANISATION AND GOVERNANCE

2.1. Introduction

In the Federal Republic of Germany responsibility for the education system is determined by the federal structure of the state. 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, including the promotion of up-and-coming academics
- 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. For more detailed information on the collaboration between the Federation and the Länder in the education sector, see chapter 2.7.

In May 2018, the Cabinet also passed a draft law aimed at extending the Federation's financial assistance competence under Article 104c of the Basic Law, which was introduced in 2017 and has so far been limited to financially weak municipalities. The aim of the constitutional amendment is to enable the Federation to grant financial aid to the Länder for significant investments by the Länder and local authorities in the municipal education infrastructure.

2.2. Fundamental Principles and National Policies

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 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).

2.3. Lifelong Learning Strategy

More detailed information on lifelong learning in the Federal Republic of Germany is available in chapter 8 on adult education and training and chapter 14 on ongoing reforms and policy developments.

2.4. Organisation of the Education System and of Its Structure

The education system in the Federal Republic of Germany is divided into

- early childhood education
- primary education
- secondary education
- tertiary education
- continuing education

Early childhood education and care

Early childhood education is provided by institutions catering for children until the age of six at which they usually start school. Children of school age who have not yet attained a sufficient level of development to attend a school have a further option in some Länder, namely *Schulkindergärten*, *Vorklassen* and *Grundschulförderklassen*. These institutions are either assigned to the early childhood or the primary sector according to the particular Land. Attendance is usually voluntary, although in most of the Länder in question the authorities are entitled to make it compulsory. For details see chapter 4.

Compulsory education

As a rule, general compulsory schooling begins for all children in the Federal Republic of Germany in the year in which they reach the age of six and involves nine years of full-time schooling (ten years in Berlin, Brandenburg, Bremen and Thüringen; in Nordrhein-Westfalen, the duration of full-time compulsory education is nine years for the *Gymnasium*, and ten years for other general education schools). Those

young people who do not attend a full-time general education school or vocational school at upper secondary level once they have completed their period of compulsory general schooling must still attend part-time schooling (compulsory *Berufsschule* attendance – *Berufsschulpflicht*). This usually lasts three years, according to the duration of training in a *anerkannter Ausbildungsberuf* (recognised occupation requiring formal training). For pupils who do not attend a general education school at upper secondary level or enter training, some Länder have regulations under which pupils are required to remain in full-time education and attend some sort of vocational school.

Children and young people with disabilities are also required to attend school and complete their compulsory education. On the basis of their *sonderpädagogischer Förderbedarf* (special educational needs), they are either taught in mainstream schools together with non-handicapped pupils, or in *sonderpädagogische Bildungseinrichtungen* (special schools). In recent years, based on a changed understanding of disability and the principles of participation and accessibility, the responsibility of general schools for all children and young people with and without disabilities has been emphasised.

Compulsory schooling involves regular attendance of lessons and other compulsory school events. Both pupils and parents are responsible for seeing that this obligation is met and training companies are also responsible for ensuring that their trainees fulfil their obligation to attend vocational school. The school head checks on attendance records and can, if necessary, enforce attendance through various measures against the pupil, parents or the training company.

For children of school age, the child and youth welfare sector offers before-school and after-school care options, as well as full-day school offers.

Primary education

As a rule, in the year in which children reach the age of six, they are obliged to attend primary school. All pupils in Germany enter the *Grundschule* which covers grades 1 to 4. In Berlin and Brandenburg, the *Grundschule* covers grades 1 to 6. Primary education is dealt with in detail in chapter 5.

For pupils with *sonderpädagogischer Förderbedarf* (special educational needs), additionally a range of *sonderpädagogische Bildungseinrichtungen* (special schools) exists (e.g. *Förderschulen*, *Förderzentren*, *Schulen mit sonderpädagogischem Förderschwerpunkt*, *Sonderpädagogische Bildungs- und Beratungszentren*). More detailed information on special needs education is available in chapter 12.3.

Transition from primary to secondary education

The transition from the *Grundschule* (primary school) to one of the different lower secondary school types where pupils remain at least until the completion of their full-time compulsory education is dealt with differently depending on Land legislation. The vote of the school which the pupil is leaving is taken as a basis for the decision or as guidance in the decision regarding the pupil's future school career. This is accompanied by detailed consultations with parents. The final decision is taken either by the parents or the school or school supervisory authority. For certain school types, it is dependent on pupils demonstrating a certain level of ability and/or on the capacity available in the desired school. For an overview of regulations specific to the various Länder with regard to the transition from the *Grund-*

schule (primary school) to lower secondary education, see the website of the Standing Conference of the Ministers of Education and Cultural Affairs of the Länder (*Kultusministerkonferenz – KMK*).

Secondary education

Following the primary school stage at which all children attend mixed-ability classes (grades 1 to 4, in Berlin and Brandenburg grades 1 to 6) the structure of the secondary school system (grades 5/7 to 12/13) in the Länder is characterised by division into three educational paths with their respective leaving certificates and qualifications for which different school types are responsible, either as school types offering one course of education or as school types offering more than one course of education.

At school types offering one course of education all teaching is channelled to a specific qualification. These have traditionally been the *Hauptschule*, *Realschule* and *Gymnasium*. *Schularten mit mehreren Bildungsgängen* (schools offering more than one type of course of education) bring two or three courses of education under one umbrella. In most of the Länder they have meanwhile led to the abolition of the *Hauptschule* and *Realschule*. The various types of school will be described in more detail in chapter 6 as part of the description of secondary education.

For pupils with *sonderpädagogischer Förderbedarf* (special educational needs), additionally various types of *sonderpädagogische Bildungseinrichtungen* (special schools), have been set up within the organisational framework of general and vocational education (e.g. *Förderschulen*, *Förderzentren*, *Schulen mit sonderpädagogischem Förderschwerpunkt*, *Sonderpädagogische Bildungs- und Beratungszentren*). Since 2007, the proportion of pupils with special educational needs taught at special schools has been falling, while the proportion of pupils with special educational needs taught at general schools has risen significantly. More detailed information on special needs education at special education institutions is available in chapter 12.3.

Once pupils have completed compulsory schooling – generally when they reach the age of 15 – they move into upper secondary education. The type of school entered depends on the qualifications and entitlements obtained at the end of lower secondary education. The range of courses on offer includes full-time general education and vocational schools, as well as vocational education and training within the *duales System* (dual system). The majority of the Länder offer the following general education and vocational schools, with some forms specific to individual Länder:

General education schools:

- *Gymnasium*
- *Schularten mit drei Bildungsgängen* and *gymnasiale Oberstufe*

Vocational schools:

- *Berufsschule*
- *Berufsfachschule*
- *Fachoberschule*
- *Berufsoberschule*
- *Berufliches Gymnasium*

A description of the courses on offer at the types of school listed above is included in chapter 6 on secondary education.

Tertiary education

The tertiary sector encompasses institutions of higher education and other establishments that offer study courses qualifying for entry into a profession to students who have completed the upper secondary level and obtained a higher education entrance qualification.

The Federal Republic of Germany has the following types of higher education institutions:

- *Universitäten, Technische Hochschulen/Technische Universitäten, Pädagogische Hochschulen, Theologische Hochschulen*
- *Kunsthochschulen* and *Musikhochschulen* (colleges of art and music)
- *Fachhochschulen*

Additionally there are a number of special higher education institutions which only admit certain groups, e.g. higher education institutions of the Federal Armed Forces and *Verwaltungsfachhochschulen*, and are not considered below.

Those with a higher education entrance qualification may also choose to enter a *Berufsakademie* offered by some Länder as an alternative to higher education. At state or state-recognised *Studienakademien* (study institutions) and in companies students receive academic but, at the same time, practical career training.

The *Fachschulen* and the *Fachakademien* in Bayern are institutions of continuing vocational education that, as a rule, call for the completion of relevant vocational education and training in a *anerkannter Ausbildungsberuf* (recognised occupation requiring formal training) and relevant employment. The qualification level achieved here is comparable to the first level of the tertiary sector in accordance with the International Standard Classification of Education ISCED.

For more detailed information on tertiary education institutions, see chapter 7.

Continuing education

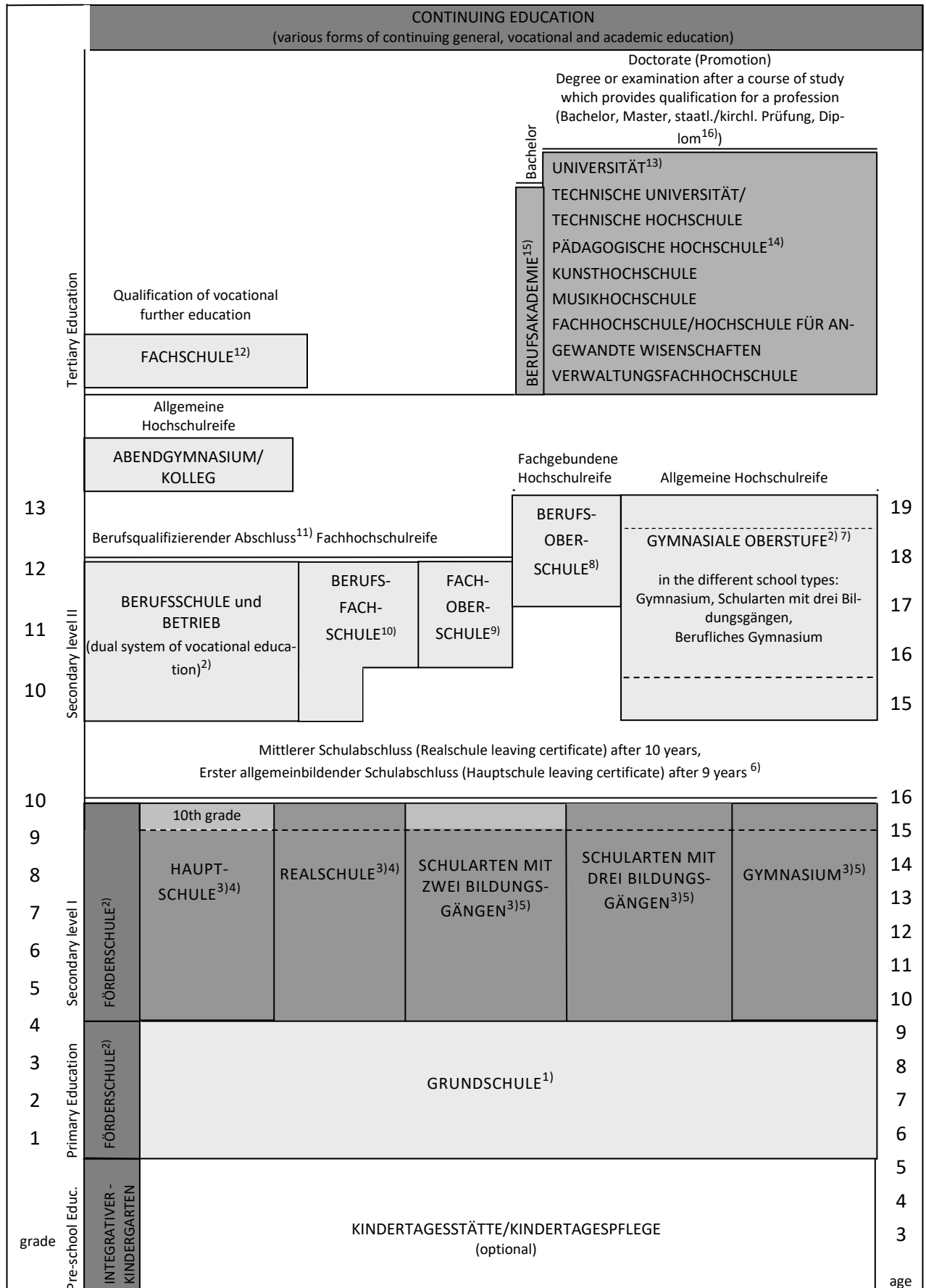
Continuing education and further learning are becoming increasingly important with the present demographic development. In terms of lifelong learning, institutionalised continuing vocational training addresses the further development of individual qualifications as well as individual reorientation relative to the qualification. The development, recognition and certification of competences will become more and more important in future, as will new, non-formal learning. Continuing education encompasses the general, vocational, academic and socio-political domains in equal measure. Their interactions are on the increase, particularly in view of the development and transfer of competences in the sense of lifelong further learning.

In response to the vast range of demands made on continuing education, a differentiated structure has been developed. Continuing education is offered by municipal institutions, in particular *Volkshochschulen*, as well as by private institutions, church institutions, the trade unions, the various chambers of industry and commerce, political parties and associations, companies and public authorities, family education centres, academies, *Fachschulen*, institutions of higher education and dis-

tance learning institutions. Radio and television companies also provide continuing education programmes.

For a more detailed description of the continuing education sector, see chapter 8.

Basic Structure of the Educational System in the Federal Republic of Germany



Annotations

Diagram of the basic structure of the education system. The distribution of the school population in grade 8 as per 2016 taken as a national average is as follows: *Hauptschule* 10.8 per cent, *Realschule* 18.9 per cent, *Gymnasium* 36.2 per cent, *integrierte Gesamtschule* 16.8 per cent, types of school with several courses of education 12.2 per cent, special schools 4.2 per cent.

The ability of pupils to transfer between school types and the recognition of school-leaving qualifications is basically guaranteed if the preconditions agreed between the Länder are fulfilled. The duration of full-time compulsory education (compulsory general education) is nine years (10 years in five of the Länder) and the subsequent period of part-time compulsory education (compulsory vocational education) is three years.

- 1 In some Länder special types of transition from early childhood to primary education (*Vorklassen, Schulkindergärten*) exist. In Berlin and Brandenburg the primary school comprises six grades.
- 2 Teaching pupils with special educational needs in inclusive classes at general education schools or special education institutions with corresponding special educational focuses. Designation of schools varies according to the law of each Land. *Sonderpädagogische Bildungseinrichtungen* with a focus on “learning” and *sonderpädagogische Bildungseinrichtungen* with a focus on “mental development” award school-specific qualifications.
- 3 Grades 5 and 6 constitute a phase of particular promotion, supervision and orientation with regard to the pupil's future educational path and its particular direction.
- 4 *Hauptschule* and *Realschule* only exist in any appreciable numbers in five Länder (Baden-Württemberg, Bayern, Hessen, Niedersachsen, Nordrhein-Westfalen). In Bayern, the type of school comparable to a *Hauptschule* is called a *Mittelschule*. The *Hauptschule* and *Realschule* courses of education are also offered at schools with several courses of education, for which the names differ from one Land to another.
- 5 The following types of school with two courses of education bring the courses of education of *Hauptschule* and *Realschule* under one educational and organisational umbrella: *Regelschule* (Thüringen), *Sekundarschule* (Bremen, Sachsen-Anhalt), *Verbundene Haupt- und Realschule* (Hessen), *Regionale Schule* (Mecklenburg-Vorpommern), *Realschule plus* (Rheinland-Pfalz), *Regionalschule* (Schleswig-Holstein), *Oberschule* (Brandenburg, Sachsen), *Mittelstufenschule* (Hessen). The *Gymnasium* course of education is also offered at schools with three courses of education. The three courses of education of *Hauptschule*, *Realschule* and *Gymnasium* are also offered at the following types of school: *Integrierte Gesamtschule*, *Kooperative Gesamtschule*, *Integrierte Sekundarschule* (Berlin), *Oberschule* (Bremen, Niedersachsen), *Stadtteilschule* (Hamburg), *Gemeinschaftsschule* (Baden-Württemberg, Saarland, Sachsen-Anhalt, Schleswig-Holstein, Thüringen), *Sekundarschule* (Nordrhein-Westfalen).
- 6 The general education qualifications that may be obtained after grades 9 and 10 carry particular designations in some Länder. These certificates can also be obtained in institutions offering secondary education for adults known as *Zweiter Bildungsweg* and at vocational schools or through an external examination before a state examining board.
- 7 Admission to the *gymnasiale Oberstufe* requires a formal entrance qualification which can be obtained after grade 9 or 10. Since 2012, in the majority of Länder the

Allgemeine Hochschulreife can be obtained after the successful completion of 12 consecutive school years (eight years at the *Gymnasium*). At schools with three courses of education the *Gymnasium* course of education is not, as a rule, reduced to eight years.

- 8 The *Berufsoberschule* has so far only existed in a few Länder and offers school-leavers with the *Mittlerer Schulabschluss* who have completed vocational education and training or five years' working experience the opportunity to obtain the *Fachgebundene Hochschulreife*. Pupils can obtain the *Allgemeine Hochschulreife* by proving their proficiency in a second foreign language.
- 9 The *Fachoberschule* is a school type lasting for two years (grades 11 and 12) which admits pupils who have completed the *Mittlerer Schulabschluss* and qualifies them to study at a *Fachhochschule*. In the majority of Länder, pupils who have successfully completed the *Mittlerer Schulabschluss* and have been through initial vocational training can also enter the *Fachoberschule* directly in grade 12. The Länder may also establish a grade 13. After successful completion of grade 13, pupils can obtain the *Fachgebundene Hochschulreife* and under certain conditions the *Allgemeine Hochschulreife*.
- 10 *Berufsfachschulen* are full-time vocational schools differing in terms of entrance requirements, duration and leaving certificates. Basic vocational training can be obtained during one- or two-year courses at *Berufsfachschulen* and a vocational qualification is available at the end of two- or three-year courses. Under certain conditions the *Fachhochschulreife* can be acquired on completion of a course lasting a minimum of two years.
- 11 Extension courses are offered to enable pupils to acquire qualifications equivalent to the *Hauptschule* and *Realschule* leaving certificates. Under certain conditions the *Fachhochschulreife* can also be acquired.
- 12 *Fachschulen* cater for continuing vocational education (1-3 year duration) and as a rule require the completion of relevant vocational education and training in a recognised occupation and subsequent employment. In addition, the *Fachhochschulreife* can be acquired under certain conditions.
- 13 Including institutions of higher education offering courses in particular disciplines at university level (e.g. theology, philosophy, medicine, administrative sciences, sport).
- 14 *Pädagogische Hochschulen* (only in Baden-Württemberg) offer training courses for teachers at various types of schools. In specific cases, study courses leading to professions in the area of education and pedagogy outside the school sector are offered as well.
- 15 The *Berufsakademie* is a tertiary sector institution in some Länder offering academic training at a *Studienakademie* (study institution) combined with practical in-company professional training in keeping with the principle of the dual system.
- 16 The reform of the study structure with the conversion to Bachelor's and Master's degrees is to a large extent complete. Only a small number of study courses lead to a *Diplom* degree.

As at June 2018

2.5. Organisation of Private Education

In all areas of education there are also, to a greater or lesser extent, privately-maintained institutions. Institutions which fall under this category are those at pre-school level, which are assigned to child and youth welfare, schools and higher education institutions, as well as adult education institutions. The fact that state and non-state institutions exist side by side and cooperate with each other guarantees not only choice in terms of the educational programmes available but also choice between various maintaining bodies, which promotes competition and innovation in education. Through their maintenance of educational establishments, churches and other groups within the community help shape both society and the state.

Early childhood education and care

Particularly in the Länder in western Germany, the education, socialisation and care of children up to school age takes place mainly in privately-maintained day-care centres. Social Security Code VIII (*Achtes Buch Sozialgesetzbuch – Kinder- und Jugendhilfe* – R61) gives priority to institutions run by non-public bodies (churches, welfare associations, parents associations etc.) in the interests of providing a diverse range. The local maintaining bodies of public child and youth welfare – municipalities with the status of a district (*kreisfreie Städte*) and rural districts (*Landkreise*) – should only establish their own institutions if non-public bodies do not offer suitable recognised institutions or cannot set them up in time. As a result of this principle, around 67 per cent of day-care centres in Germany were run by non-public bodies of the child and youth welfare services in 2017.

Day-care centres for children which are funded by local authorities or non-public bodies are subject to public supervision by the responsible bodies for the public child and youth welfare services at Land level. This is generally exercised by the youth welfare offices of the Länder (*Landesjugendämter*). Maintaining bodies for youth welfare services from the private sector receive financial support from the Land as well as from the local authorities (*Kommunen*) to run day-care centres (e.g. for operating costs and investments). For more information on the funding of early childhood education and care see also chapter 3.2.

Privately-maintained schools

The right to establish privately-maintained schools is expressly guaranteed by the Basic Law (*Grundgesetz*, Art. 7, Paragraph 4 – R1) and, to some extent, by provisions in the constitutions of the individual Länder. This freedom to establish privately-maintained schools is combined with a guarantee of the privately-maintained school as an institution. Thus, constitutional law rules out a state monopoly of education. The proportion of privately-maintained schools varies considerably from Land to Land and between the different types of school. The main legal provisions for the establishment of privately-maintained schools are the relevant provisions in the Education Acts (R85–102) and the special laws on privately-maintained schools (R103–109), as well as financial aid regulations in the form of laws and regulations of the Länder. Standard framework conditions in the Länder are guaranteed by an Agreement on Private Schools (*Vereinbarung über das Privatschulwesen*) of August 1951 drawn up by the Standing Conference of the Ministers of Education and Cultural Affairs (*Kultusministerkonferenz* – KMK).

Under the Basic Law, privately-maintained schools are also under the supervision of the state. When establishing a privately-maintained school, general legal requirements must be observed first of all, for instance with regard to building and fire safety regulations, health protection and protection of children and young people. The personal suitability of maintaining bodies, managers and teachers also has to be vouched for.

Primary sector

In the primary sector, privately-maintained schools may only be established on very strict conditions (Art. 7, Paragraph 5 of the Basic Law). Their establishment is permitted only where the school authority finds that they serve a special pedagogical interest or where – at the request of parents – they are to be established as *Gemeinschaftsschulen* (non-denominational schools), denominational schools or schools pursuing a certain ideology and no public-sector primary school of that type exists locally. Privately-maintained primary schools are therefore the exception; in almost all cases they are either denominational primary schools, *Freie Waldorfschulen* (Rudolf Steiner schools), reformist schools and schools with a bilingual and international profile or primary schools with an integrated boarding facility.

Secondary sector

At secondary level two types of privately-maintained school are to be differentiated:

- *Ersatzschulen* (alternative schools) are, in terms of their overall purpose, to serve as a substitute for a public-sector school which already exists or is essentially provided for in a Land. They must acquire state approval. At these schools compulsory schooling can be completed. However, these alternative schools, in their capacity as, for example, denominational schools, reformist schools, schools with a bilingual and international profile or boarding schools may also fulfil an educational mission of their own.
- *Ergänzungsschulen* (complementary schools) are to complement the range of courses on offer from public bodies by offering types of education which do not generally exist in public-sector schools, above all in the vocational sphere. Complementary schools merely have to notify education authorities that they plan to start up. Under certain conditions, the school authorities can, however, also prohibit the establishment and operation of a complementary school.

State approval of Ersatzschulen

The criteria for approval of *Ersatzschulen* (alternative schools) are laid down in the Basic Law (Art. 7, Paragraph 4). Such approval is given by the competent education authority of the respective Land on condition that privately-maintained schools are not inferior to public-sector schools in terms of their educational aims, their facilities and the training of their teaching staff and that they do not encourage segregation of pupils according to the means of their parents. Approval shall be withheld where the economic and legal status of the teaching staff is not adequately secured. The school supervisory authority must monitor whether the criteria on the basis of which approval was granted are being respected and can withdraw approval if these criteria are no longer being met.

The named individual prerequisites for state approval of privately-maintained schools as alternatives to public-sector schools include:

- the equivalence of educational aims:

As far as the equivalence of the educational aims of private schools and the corresponding school type in the public sector is concerned, strict adherence to the approved teaching hours and curricula of public-sector schools is not required. The private school can pursue religious or ideological educational aims and may use its own teaching methods.

- the equivalence of facilities:

This involves aspects such as school equipment on the one hand, and issues relating to school organisation on the other. Although schools must have equivalent buildings and equipment, differences are permitted in the organisation of privately-maintained schools (e.g. management by staff, particular rights of participation for pupils and parents).

- the equivalence of teacher training:

The teaching staff must have an academic education and teaching qualifications comparable to those provided by the state system of teacher training; in practice, most teachers have completed state teacher training courses.

- teachers' economic and legal security:

A contract of employment is required, covering duties, conditions for resignation or dismissal, holiday entitlement, sufficient emoluments and a right to future pension payments. In this way it should be ensured that teachers at privately-maintained schools are not in a significantly worse position than teachers at public-sector schools in terms of economic and legal security.

- no segregation of pupils according to means:

Under the Basic Law (Art. 7, Paragraph 4) pupils should be able to attend alternative schools regardless of their economic means. School fees may be charged but must be socially equitable. State-approved alternative schools therefore only charge moderate fees or guarantee relief to pupils whose parents are of limited financial means (e.g. reduction in school fees, reduction for additional siblings attending the same school). Details on the financing of privately-maintained schools may be found at chapter 3.2.

State recognition of Ersatzschulen

In almost all Länder, state approval of a private school as an *Ersatzschule* (alternative school) does not automatically give that school the right to hold examinations and award leaving certificates corresponding to the qualifications gained at public-sector schools. The pupils concerned may only receive these through an external examination, i.e. an examination before a state examining board at a public-sector school.

Only state recognition permits the alternative school to hold examinations in accordance with the regulations in force for public-sector schools and to award certificates; state recognition thus confers the legal powers enjoyed by public-sector schools on the alternative school. A prerequisite for this recognition is that the conditions already required for approval are fulfilled on a permanent basis (operation

of school without complaint from school supervisory authority), and that the regulations applicable to public-sector schools are applied to the acceptance of pupils and their transfer between school grades, as well as to examinations.

The approval or later recognition also involves several additional rights and obligations for the *Schulträger* (the body maintaining the school), and for teachers, parents and pupils. These include, for example, from the time a free school is approved, a fundamental right to public funding from the Länder for the school. Public funding for pupils of public-sector schools is used as a yardstick for funding directed at pupils of *Ersatzschulen*. Teachers may also be granted sabbatical leave to work at recognised alternative schools and have these years included in their years of teaching service. They bear titles like those conferred on teachers in the public sector; and schools can train student teachers. On the other hand, recognised schools in some Länder are also obliged to abide by public-sector school provisions relating to *Schulordnung* (school regulations), provision governing council meetings and rights to participation.

State-recognised institutions in the tertiary sector

The Länder laws governing higher education (*Hochschulgesetze* – R128–143) 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*). Institutional accreditation is a procedure of quality assurance which is to determine whether an institution is capable of providing study courses which according to legislation belong to the sector of higher education. Within the framework of the accreditation procedure, thus is to be examined and established whether standards of quality are fulfilled. These standards follow the requirements laid down in the Framework Act for Higher Education of the Federation and Länder laws governing higher education and should be related to the individual profile of the institution to be recognised. Official recognition by the respective Land 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. Furthermore, it must also be ensured that those belonging to the institution of higher education have at least a minimum level of co-determination in teaching and research matters. Recognition involves establishing the designation and organisation of the higher education institution, as well as the courses of study and examinations it plans to offer and the award of higher education degrees.

The number of state-run and state-recognised institutions of higher education and student figures is steadily increasing. As at the 2018 summer semester, according to the German Rector's Conference (*Hochschulrektorenkonferenz* – HRK), there were a total of 396 state-run and state-recognised institutions of higher education in the Federal Republic of Germany. These include 156 – mainly small – state-recognised institutions of higher education maintained privately or by the Churches.

Berufsakademien (professional academies) are governed by regulations specific to the Länder (R147–152). Whilst all professional academies are publicly maintained in Sachsen, the *Berufsakademie* laws in Hessen, Niedersachsen, Saarland and Schleswig-Holstein only provide for the existence of exclusively state-recognised professional academies, which require the approval of the relevant Land ministry. The Hamburg *Berufsakademie* law facilitates the establishment of state as well as state-recognised institutions. In Thüringen, the state *Berufsakademien* have been converted into the *Duale Hochschule Gera-Eisenach* (dual institution of higher education Gera-Eisenach). Unlike the state institutions, the non-public professional academies in Germany are not financed by the Länder.

Privately-maintained institutions providing adult education and training

The continuing education schemes on offer cover a broad spectrum of courses in continuing general, political and cultural education and continuing vocational training, which are supported by a diverse range of institutions – state and private-sector, non-profit-making and profit-oriented, in-company and public – and of institutions attached to the Protestant and Catholic Churches, the trade unions and other social groups.

2.6. National Qualifications Framework

The development of the German Qualifications Framework (*Deutscher Qualifikationsrahmen* – DQR) is part of a European process. In April 2008, the Recommendation of the European Parliament and of the Council on the Establishment of the European Qualifications Framework (EQF) entered into force. To implement the EQF, 39 European countries have now decided to develop national qualifications frameworks (NQFs). These NQFs can have a different number of levels and pursue different objectives. In addition to Germany, 32 other countries have assigned their NQFs to the EQF as part of the referencing process. The EQF portal provides information on the current status of developments (<http://ec.europa.eu/ploteus/search/site>).

The EQF, as a reference framework for lifelong learning, maps the learning outcomes of the respective European national education systems in eight levels. It serves as a translation device between the education and qualifications systems of the EU member states and is intended to make learning outcomes from all educational sectors internationally more comprehensible and more comparable, thus promoting the mobility of employees in Europe.

Like the EQF, the DQR describes eight levels that describe learning outcomes that are bundled into competences independently of the degree. In principle all DQR levels should be accessible via various educational pathways. In levels 5 to 8 the DQR opted for parallel descriptions allowing the allocation of academic and vocational qualifications. Compatibility with the Qualifications Framework for German Higher Education Qualifications (*Qualifikationsrahmen für Deutsche Hochschulabschlüsse* – HQR) adopted in 2005 is guaranteed in DQR levels 6 to 8.

At the end of January 2012 the Federation, Länder, social partners and business organisations agreed on a fundamental line for the introduction of the DQR. The allocation of general school-leaving certificates was deferred for a five-year trial period. The allocation of the DQR levels to the EQF levels was carried out in the so-called referencing process. The German Referencing Report was successfully presented to

and approved by the EQF Advisory Group, the advisory body at European level, in December 2012. The exclusion of general education was criticised.

The signing of the Joint Resolution on the DQR by the Federal Ministry of Education and Research (*Bundesministerium für Bildung und Forschung – BMBF*), the Federal Ministry for Economic Affairs and Energy (*Bundesministerium für Wirtschaft und Energie – BMWi*), the Standing Conference of the Ministers of Education and Cultural Affairs (*Kultusministerkonferenz – KMK*) and the Conference of Ministers of Economics of the Länder (*Wirtschaftsministerkonferenz – WMK*) in May 2013, laid the foundation for the introduction of the DQR.

The aim of the DQR is to make the German qualification system more transparent, to support reliability, permeability and quality assurance and to increase the comparability of qualifications. The Federation and the Länder have agreed that the assignment of qualifications and degrees to levels does not replace the existing system of entrance qualifications. The allocation takes place in accordance with the principle that each qualification level should always be accessible via various educational pathways. The achievement of a level does not provide automatic entitlement to access the next level and is not considered in conjunction with the implications for collective wage agreements and laws relating to remuneration. The EU Directive on the Recognition of Professional Qualifications remains unaffected by the EU Recommendation.

The German Qualifications Framework for Lifelong Learning is the first framework to cover all qualifications of the German education system across all educational sectors. In the Annex to the Joint Resolution, the qualifications of the formal sector assigned by consensus are presented in a tabular overview. A learning outcome-oriented justification is attached in each case. In most cases, an anchor qualification stands for a qualification type. The exemplary reason is then followed by a list of qualifications that correspond to this type and are assigned in the same way.

In 2017, the KMK decided on the allocation of general education degrees. The *Hauptschulabschluss* (HSA) was assigned DQR level 2, the *Mittlere Schulabschluss* (MSA) DQR level 3 and the *Fachhochschulreife* (FHR), the *Fachgebundene Hochschulreife* (FgbHR) and the *Allgemeine Hochschulreife* (AHR) DQR level 4. An allocation to two levels was confirmed for initial vocational education and training: Level 3 for two-year training programmes and level 4 for three-year and three-and-a-half-year training programmes. This ensures the equivalence of vocational and general education and training in the assignment process to the DQR.

The indication of the EQF/DQR reference level on new certificates issued for qualifications is being carried out by the respective authorities (schools, chambers, etc.). In higher education, the EQF/DQR level is shown in the Diploma Supplement. A uniform formulation is used in all areas of education. The current exception to this is the classification of general qualifications. The DQR level is not shown for qualifications obtained before the Joint Resolution came into force. The assignment is only noted on qualification certificates of qualifications that are listed in the annually updated "List of Assigned Qualifications" (www.dqr.de).

In principle, all assignments of qualifications from the formal area are also shown bindingly in the DQR Qualifications Database in German (partly also in English).

As well as qualifications from the formal sector, in future the qualifications of the non-formal sector are also to be allocated to the DQR – i.e. from the area that works with regulatory means that are not regulated by laws or ordinances. A pilot procedure for this was launched in September 2017. The aim is to develop procedures and criteria for assigning qualifications of non-formal learning to the levels of the DQR. Results are expected in autumn 2018. In a further stage it shall be possible to include informally acquired competences in the DQR too. The development of procedures required to determine and assess the results of informal learning (“validation”) is taking place outside the DQR process.

The DQR Manual explains the DQR to all interested persons. It serves as a guide for authorities which are responsible for allocating qualifications to the DQR. It specifies the criteria and procedures for the description of qualifications for the DQR and is intended to ensure that the allocation of newly developed qualifications always follows the same criteria and procedures. It lays down binding allocations which indicate the competences acquired through a particular qualification, thereby making the allocations comprehensible, and also describes the competences and sources of information. A glossary explains the terms which are important to understand the DQR.

More detailed information on the DQR is available under www.dqr.de.

2.7. Administration and Governance at Central and/or Regional Level

Responsibilities of the Federal Government

Where the Federation has responsibility for education, science and research, within the Federal Government this responsibility lies primarily with the FEDERAL MINISTRY OF EDUCATION AND RESEARCH (*Bundesministerium für Bildung und Forschung – BMBF*). The FEDERAL MINISTRY FOR FAMILY AFFAIRS, SENIOR CITIZENS, WOMEN AND YOUTH (*Bundesministerium für Familie, Senioren, Frauen und Jugend – BMFSFJ*) is responsible for early childhood education and care in day-care centres and in child-minding services.

The Federal Ministry of Education and Research was founded in 1955 as the Federal Ministry for Nuclear Affairs. Following an amendment to the German Basic Law in 1969, the Federation was assigned responsibilities in the planning of education and research support, a consequence of which was that the Ministry was renamed the Federal Ministry of Education and Science (BMBW). In 1994 it was merged with the Federal Ministry for Research and Technology (BMFT) which had been founded in 1972. Wherever necessary, consultations between Federation and Länder take place in the *Bundesrat*, the Joint Science Conference (*Gemeinsame Wissenschaftskonferenz – GWK*), the Standing Conference of the Ministers of Education and Cultural Affairs (*Kultusministerkonferenz – KMK*) and the Science Council (*Wissenschaftsrat*). The Federal Ministry of Education and Research is organised in one Central Directorate-General and seven further Directorates-General:

- Directorate-General 1: Policy Issues; Strategy; Digital Transformation
- Directorate-General 2: European and International Cooperation in Education and Research
- Directorate-General 3: Vocational Training; Lifelong Learning
- Directorate-General 4: Science System
- Directorate-General 5: Key Technologies – Research for Innovation

- Directorate-General 6: Life Sciences – Research for Health
- Directorate-General 7: Provision for the Future – Basic and Sustainability Research

For current information on the direction of the Ministry, see the website (www.bmbf.de).

The purview of the Federal Ministry of Education and Research embraces the Federal Institute for Vocational Education and Training (*Bundesinstitut für Berufsbildung* – BIBB). It is a major instrument for cooperation between employers, trade unions, Federation and Länder at the national level. The Vocational Training Act (*Berufsbildungsgesetz* – R79) defines the institute's responsibilities as follows:

- to carry out vocational education and training research under a pre-defined research programme
- in accordance with the instructions of the competent federal ministry, to take part in the drafting of *Ausbildungsordnungen* (training regulations) and other ordinances, to take part in the preparation of the Report on Vocational Education and Training (*Berufsbildungsbericht*), to take part in the compilation of vocational education and training statistics, to promote pilot schemes, to take part in international cooperation in the field of vocational education and training, as well as to assume further administrative tasks of the Federation for the promotion of vocational education and training
- in accordance with general administrative provisions of the competent federal ministry, to implement the promotion of intercompany training centres and support the planning, establishment and further development of these facilities
- to maintain and publish the register of *anerkannte Ausbildungsberufe* (recognised occupations requiring formal training)
- to carry out the tasks described in the Law on the Protection of Participants in Distance Education (*Fernunterrichtsschutzgesetz* – R165) and to contribute to the improvement and extension of vocational distance learning through the promotion of development projects

With the consent of the BMBF, the Federal Institute for Vocational Education and Training may conclude contracts with other parties outside the Federal Administration for the assumption of further tasks.

Vocational education and training in Germany is based on the consensus principle. Whenever major decisions on structure and substance have to be taken, such decisions are reached in a joint effort by Federation and Länder, employers and employees. These groups – as well as a representative of the municipal associations, of the Federal Employment Agency (*Bundesagentur für Arbeit* – BA) and of the Research Council acting as advisors – are members of the Federal Institute for Vocational Education and Training's board. The scientific advisory committee is intended to promote the quality of the Institute's research work by advising the board and the management of the Federal Institute.

Responsibilities of the Ministries of Education, Cultural Affairs and Science and co-operation at supra-regional level

Educational legislation and administration of the education system are primarily the responsibility of the Länder (cf. chapter 2.2.). This particularly applies to the

school system, higher education and the adult education/continuing education sector.

Following the founding of the Federal Republic of Germany, it soon became clear that there was a basic public need for education to be coordinated and harmonised throughout the country if people were to be provided with the opportunity of mobility between the Länder in their professional and private lives. The main aim of the cooperation entered into by the Länder in 1948 with the founding of the STANDING CONFERENCE OF THE MINISTERS OF EDUCATION AND CULTURAL AFFAIRS OF THE LÄNDER IN THE FEDERAL REPUBLIC OF GERMANY (*Kultusministerkonferenz – KMK*) was to guarantee by means of coordination the necessary measure of shared characteristics and comparability in the Federal Republic of Germany's education system, an aim that is still pursued to this day.

The Standing Conference brings together the ministers and senators of the Länder responsible for education and training, higher education and research, and also cultural affairs. It is based on an agreement between the Länder and deals with policy matters pertaining to education, higher education, research and culture that are of supra-regional importance, with the aim of forming a common viewpoint and a common will as well as representing common interests. The resolutions of the Standing Conference can be adopted either unanimously, with a qualified majority or with a simple majority, depending on their content. They have the status of recommendations – with the political commitment of the competent Ministers to transform the recommendations into law, however – until they are enacted as binding legislation by the parliaments in the Länder. The resolutions are implemented in the individual Länder in the form of administrative action, ordinances or laws, with the Land parliaments playing a role in the legislative procedure.

Cooperation within the Standing Conference has led to uniform and comparable developments in many areas of the school and higher education system. Some of the most important results of the coordination work of the Standing Conference are detailed below.

The so-called *Hamburger Abkommen*, an agreement which was drawn up by the Standing Conference and adopted by the Prime Ministers of the Länder in 1964 (last amended in 1971), remains the cornerstone on which the joint fundamental structures of the school system in the Federal Republic of Germany is based. It incorporates the following general provisions: the beginning and duration of full-time compulsory education, the dates for the start and end of the school year, the length of school holidays as well as the designation of the various educational institutions and their organisation (types of school etc.), the recognition of examinations and leaving certificates, and the designation of grade scales for school reports. On the basis of the *Hamburger Abkommen*, the Standing Conference has agreed further fundamental common features for the school system over the past few decades as well as mutual recognition of leaving certificates for schools in all Länder, through supplementary resolutions, which were summarised in a resolution in May 2001. Further structural development in school education in general has been stimulated by German unity, and, in particular, by the framework agreement of 1993 on types of school and courses in lower secondary education and their leaving certificates (last amended in September 2014). In June 2000 a revised version of the agreement on the structure of the *gymnasiale Oberstufe* and the *Abitur* examination

(*Sekundarstufe II*) of 1972 was adopted, which not only reinforces the importance of acquiring knowledge in major subjects such as German, mathematics and foreign languages in preparation for higher education, but also takes into account new educational findings in learning methods and class organisation (last amended in February 2018). With the so-called *Husumer Beschlüsse* of 1999, agreements in the four subject areas – teacher training and mutual recognition of teaching careers, equivalence of general and vocational training, the *gymnasiale Oberstufe*, i.e. upper *Gymnasium* level, and pilot projects – were changed in order to allow the individual Länder greater scope for their own decisions.

With the so-called *Konstanzer Beschluss*, in October 1997 the Standing Conference has made quality development and quality assurance in schools one of its central issues. In March 1999, the Länder within the Standing Conference agreed that the collaboration would increasingly consist in the agreement of qualitative standards. As a consequence, the simultaneous reduction of detailed formal regulations is affording greater importance to the diversity and the competition between the Länder. In May 2002, the Standing Conference agreed to coordinate the measures for assuring quality already implemented by the Länder and in 2003 and 2004 adopted *Bildungsstandards* (educational standards) binding for all Länder for the primary sector, for the *Hauptschulabschluss* and for the *Mittlerer Schulabschluss*. The Institute for Educational Quality Improvement (*Institut zur Qualitätsentwicklung im Bildungswesen* – IQB), which has been founded in 2004 and is jointly supported by the Länder, is to review and further develop the educational standards in cooperation with the Länder. The resolution of educational standards for the *Allgemeine Hochschulreife* (general higher education entrance qualification) in October 2012 and the establishment of a pool of *Abitur* examination tasks in the subjects German, mathematics and in the advanced foreign languages (English, French) that is common for all Länder, increased the comparability of *Abitur* requirements between the Länder and guaranteed the quality of the joint *Abitur* tasks. The educational standards are part of a comprehensive strategy for educational monitoring as adopted by the Standing Conference in 2006 and revised in June 2015. For further information on the procedures and tools of educational monitoring, see chapter 11.2.

The structural change of the employment system from an industrial society to a service and knowledge society has led to a significant increase in the vocational qualification requirements at the workplace. Against this background, comprehensive initial and continuing education has gained significant importance. The conformity in the organisation of the vocational school system and its leaving certificates which is required for the labour market and for vocational qualification has been created by the Standing Conference of the Ministers of Education and Cultural Affairs through skeleton agreements regarding the courses of education.

The expansion of vocational schools as an alternative course of education to acquire the entitlements of the general education school system was supported by the Standing Conference through resolutions on the mutual recognition of the leaving certificates and entitlements.

In the higher education sector the Standing Conference contributes, through agreements, and by effecting coordinated administrative action, to ensuring a common higher education structure and to its continued development. The Standing Conference is thereby involved in a continuing reform process which is taking place in the

German higher education sector and which covers both the research and teaching tasks of higher education institutions and the rights and obligations of members of higher education institutions, the internal organisation of higher education institutions, their legal status, and the relationship between the State and higher education institutions. Internationalisation, competition and performance orientation have become major factors in the management and funding of higher education institutions. The relationship between the State and higher education institutions is increasingly shaped by agreements on targets and performance requirements, and growing freedom on the part of the higher education institutions in evaluation and opting how to achieve targets. Performance measurement systems have an increasingly important role.

The Standing Conference contributes to this development through information exchange between the Länder, through joint recommendations on individual aspects of the structural reform of higher education and – where required for the purposes of transparency, mobility and safeguarding the performance of higher education – through cross-Länder agreements. In this process the Standing Conference works closely together with the (*Hochschulrektorenkonferenz* – HRK) and the Federation, and with scientific organisations – particularly the German Science Foundation (*Deutsche Forschungsgemeinschaft* – DFG), the Science Council (*Wissenschaftsrat*) and the Max Planck Society.

Topics relating to the field of higher education which have been covered in depth by the Standing Conference over the past few years include the further development of the system of the accreditation of study courses within the framework of quality assurance across the Länder and across institutions of higher education, quality assurance in teaching, teacher training, the reinforcement of the right of higher education institutions to decide on the admission of applicants, the further development of the dialogue-oriented service procedure (*Dialogorientiertes Serviceverfahren* – DoSV), the continuation of the follow-up of the Bologna Process for the realisation of a European Higher Education Area and access to higher education and higher education admission for refugees.

For a detailed description of the cooperation of the Ministers of Education, Cultural Affairs and Science visit the website of the Standing Conference (www.kmk.org).

Cooperation between Federation and Länder

Joint Science Conference

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.

Through an administrative agreement from 11 September 2007, last amended on 17 April 2015, the Bund and Länder agreed to set up a Joint Science Conference (*Gemeinsame Wissenschaftskonferenz* – GWK) on the basis of Article 91b, Paragraph 1 of the Basic Law. The GWK has replaced the former Commission of the Federation and the Länder for Educational Planning and Research Promotion (*Bund-Länder-Kommission für Bildungsplanung und Forschungsförderung* – BLK) since 1 January 2008. Members of the GWK are the Ministers and Senators of the Federation and Länder responsible for science and research as well as for finance. The GWK

addresses all questions of research funding, science and research policy strategies and the science system which jointly affect the Federal Government and the Länder. The joint promotion of science, research and teaching in cases of supra-regional importance extends to the institutions and projects named in the Annex to the GWK agreement.

Cooperation of the Federation and the Länder for the assessment of the performance of educational systems in international comparison

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. Important projects in the area of cooperation between the Federation and the Länder with regard to the assessment of the performance of educational systems in international comparison and in drafting relevant reports and recommendations are discussed in meetings of the Federal Minister of Education and Research and the ministers and senators of the Länder who are responsible for education. The meetings are prepared by a control group which in turn is supported by a scientific advisory committee.

Coordinating Committee for Training Regulations and Framework Curricula in vocational training

As regards vocational education and training, the Federation is responsible for in-company vocational training, and the Länder are responsible for vocational education in schools. For vocational education and training within the *duales System*, which takes place in cooperation between school and company, the Federation and the Länder agree on fundamental issues and in particular on training rules and regulations for the learning locations. Due to the fact that the responsibility is divided, a Coordinating Committee for Vocational Education and Training was set up on the basis of an agreement entered into in 1972. This committee deals with fundamental issues relating to the coordination of in-company vocational training and vocational education in the *Berufsschule* in recognised occupations requiring formal training (*anerkannte Ausbildungsberufe*) under Federal law. An ongoing task of the coordinating committee is the re-structuring and modernising of occupations requiring formal training, in particular the harmonising of *Ausbildungsordnungen* (training regulations) for in-company vocational training and *Rahmenlehrpläne* (framework curricula) for vocational education in schools. In the coordinating committee, the Federal Government is represented by the Federal Ministry of Education and Research, the Federal Ministry for Economic Affairs and Energy (*Bundesministerium für Wirtschaft und Energie – BMWi*), and by the Ministry responsible for the respective occupation requiring formal training. The Länder are represented by the members of the Committee for Vocational Education of the Standing Conference.

Science Council

Under an administrative agreement between the Federation and the Länder, the Science Council (*Wissenschaftsrat*) was established in 1957. Its tasks include the drawing up of recommendations on the content and structural development of higher education, science and research for the Federal Government and the governments of the Länder, as well as the joint promotion of the construction of facilities at institutions of higher education, including large scientific installations, in

cases of supra-regional importance pursuant to Article 91b, Paragraph 1, No. 3 of the Basic Law. Furthermore, the Science Council develops position papers on the institutional accreditation of private institutions of higher education. The Science Council is made up of scientists, recognised public figures and representatives from the Federal and Länder governments.

Foreign Cultural Relations and Education Policy

As regards foreign cultural relations and education policy, the Federation's responsibility for foreign relations (Art. 32 of the Basic Law) must be reconciled with the internal responsibility of the Länder for education and cultural affairs (Art. 30 of the Basic Law). This partnership brings with it the rights and duties of the Länder to contribute to tasks related to foreign cultural relations and education policy. These tasks range from bilateral cooperation within the framework of cultural agreements with foreign states to multilateral cooperation at the level of the Council of Europe, UNESCO, the OECD and the OSCE and supra-national cooperation within the EU. In addition to the internal coordination of the Länder, the Standing Conference is thus also a tool for a partnership-based cooperation with the Federation, particularly with regard to foreign cultural relations and education policy, as well as international and European cooperation in the education system and in cultural affairs. For more detailed information on cooperation between the Länder and the Federation in the field of foreign cultural relations and education policy, see chapter 13.1.

The system of German schools abroad is one particular area in which the Federation and the Länder cooperate as part of Germany's foreign cultural relations and education policy. An agreement reached in 1992 between the Federation and the Länder created the Joint Committee of the Federation and the Länder on School Affairs Abroad (*Bund-Länder-Ausschuss für schulische Arbeit im Ausland* – BLASchA), which took up where the work of the Standing Conference's Committee for German Schools Abroad, convened in 1951, had left off. The Committee is responsible for cooperation between the Standing Conference (*Kultusministerkonferenz*) and the Federal Foreign Office (*Auswärtiges Amt*) in the areas of schools abroad, European Schools and the promotion of German language tuition abroad.

General administration at the level of the Länder

The Ministries of Education, Cultural Affairs and the Ministries of Science in the Länder (which have different titles in the various Länder) in their capacity as highest authorities of a Land are responsible for education, science and culture. Their scope of responsibilities generally includes schools, higher education, research, libraries, archives, adult education, arts and culture in general, relations between the state and religious or ideological communities, (known as *Kultusangelegenheiten*), the preservation of monuments and sites and, in some Länder, also sport as well as child and youth welfare.

The Ministries of Education, Cultural Affairs and Science develop policy guidelines in the fields of education, science and the arts, adopt legal provisions and administrative regulations, cooperate with the highest authorities at national and Land level and supervise the work of authorities under their purview and of subordinated bodies, institutions and foundations. To assist the ministries in their work the Länder have established their own institutes for school education, higher and continuing education.

The respective Ministries (in Berlin, Bremen and Hamburg: Senate department) are headed by a Minister/Senator who is answerable to parliament. The Minister is usually represented by a State Secretary or State Councillor (*Staatssekretär* or *Staatsrat*) or a Director-General (*Ministerialdirektor*).

The following list shows the division of the departments in each of the Länder. For current information on ministers, see the respective website.

Baden-Württemberg

MINISTERIUM FÜR KULTUS, JUGEND UND SPORT

Thouretstraße 6

70173 Stuttgart

www.km-bw.de

MINISTERIUM FÜR WISSENSCHAFT, FORSCHUNG
UND KUNST

Königstraße 46

70173 Stuttgart

<https://mwk.baden-wuerttemberg.de>

Bayern

BAYERISCHES STAATSMINISTERIUM

FÜR UNTERRICHT UND KULTUS

Salvatorstraße 2

80333 München

www.km.bayern.de

BAYERISCHES STAATSMINISTERIUM

FÜR WISSENSCHAFT UND KUNST

Salvatorstraße 2

80333 München

www.stmwk.bayern.de

Berlin

SENATSWERWALTUNG FÜR BILDUNG, JUGEND UND FAMILIE

Bernhard-Weiß-Straße 6

10178 Berlin

www.berlin.de/sen/bildung

DER REGIERENDE BÜRGERMEISTER

Berliner Rathaus

Rathausstraße 16

10178 Berlin

www.berlin.de/sen/wissenschaft

Brandenburg

MINISTERIUM FÜR BILDUNG, JUGEND UND SPORT

Heinrich-Mann-Allee 107

14473 Potsdam

www.mbjs.brandenburg.de

MINISTERIUM FÜR WISSENSCHAFT, FORSCHUNG UND KULTUR
Dortustraße 36
14467 Potsdam
www.mwfk.brandenburg.de

Bremen

DIE SENATORIN FÜR KINDER UND BILDUNG
Rembertiring 8–12
28195 Bremen
www.bildung.bremen.de

DIE SENATORIN FÜR WISSENSCHAFT, GESUNDHEIT UND VERBRAUCHERSCHUTZ
Contrescarpe 72
28195 Bremen
www.gesundheit.bremen.de

Hamburg

BEHÖRDE FÜR SCHULE UND BERUFSBILDUNG
Hamburger Straße 31
22083 Hamburg
www.hamburg.de/bildung

BEHÖRDE FÜR WISSENSCHAFT, FORSCHUNG UND GLEICHSTELLUNG
Hamburger Straße 37
22083 Hamburg
www.hamburg.de/bwfg

Hessen

HESSISCHES KULTUSMINISTERIUM
Luisenplatz 10
65185 Wiesbaden
<https://kultusministerium.hessen.de>

HESSISCHES MINISTERIUM FÜR WISSENSCHAFT UND KUNST
Rheinstraße 23–25
65185 Wiesbaden
<https://wissenschaft.hessen.de>

Mecklenburg-Vorpommern

MINISTERIUM FÜR BILDUNG, WISSENSCHAFT UND KULTUR
Werderstraße 124
19055 Schwerin
www.bm.regierung-mv.de

Niedersachsen

NIEDERSÄCHSISCHES KULTUSMINISTERIUM
Schiffgraben 12
30159 Hannover
www.mk.niedersachsen.de

NIEDERSÄCHSISCHES MINISTERIUM
FÜR WISSENSCHAFT UND KULTUR
Leibnizufer 9
30169 Hannover
www.mwk.niedersachsen.de

Nordrhein-Westfalen
MINISTERIUM FÜR SCHULE UND BILDUNG
DES LANDES NORDRHEIN-WESTFALEN
Völklinger Straße 49
40221 Düsseldorf
www.schulministerium.nrw.de

MINISTERIUM FÜR KULTUR UND WISSENSCHAFT
DES LANDES NORDRHEIN-WESTFALEN
Völklinger Straße 49
40221 Düsseldorf
www.wissenschaft.nrw.de

Rheinland-Pfalz
MINISTERIUM FÜR BILDUNG DES LANDES RHEINLAND-PFALZ
Mittlere Bleiche 61
55116 Mainz
www.bm.rlp.de

MINISTERIUM FÜR WISSENSCHAFT, WEITERBILDUNG UND KULTUR DES LANDES RHEINLAND-
PFALZ
Mittlere Bleiche 61
55116 Mainz
www.mwwk.rlp.de

Saarland
MINISTERIUM FÜR BILDUNG UND KULTUR
Trierer Straße 33
66117 Saarbrücken
www.saarland.de/ministerium_bildung_kultur.htm
STAATSKANZLEI DES SAARLANDES (WISSENSCHAFTSRESSORT)
Am Ludwigsplatz 14
66117 Saarbrücken
www.saarland.de/staatskanzlei.htm

Sachsen
SÄCHSISCHES STAATSMINISTERIUM FÜR WISSENSCHAFT UND KUNST
Wigardstraße 17
01097 Dresden
www.smwk.sachsen.de
SÄCHSISCHES STAATSMINISTERIUM FÜR KULTUS
Carolaplatz 1
01097 Dresden
www.bildung.sachsen.de

Sachsen-Anhalt

MINISTERIUM FÜR BILDUNG DES LANDES SACHSEN-ANHALT

Turmschanzenstraße 32

39114 Magdeburg

www.mb.sachsen-anhalt.de

MINISTERIUM FÜR WIRTSCHAFT, WISSENSCHAFT UND DIGITALISIERUNG DES LANDES SACHSEN-ANHALT

Hasselbachstraße 4

39104 Magdeburg

www.mw.sachsen-anhalt.de

Schleswig-Holstein

MINISTERIUM FÜR BILDUNG, WISSENSCHAFT UND KULTUR

Brunswiker Straße 16–22

24105 Kiel

www.schleswig-holstein.de/DE/Landesregierung/III/iii_node.html

Thüringen

THÜRINGER MINISTERIUM FÜR BILDUNG, JUGEND UND SPORT

Werner-Seelenbinder-Straße 7

99096 Erfurt

www.thueringen.de/th2/tmbwk

THÜRINGER MINISTERIUM FÜR WIRTSCHAFT, WISSENSCHAFT UND DIGITALE GESELLSCHAFT

Max-Reger-Straße 4-8

99096 Erfurt

www.thueringen.de/th6/tmwwdg/index.aspx

The Ministries of Education, Cultural Affairs and Science have their own sections, departments and groups just like any other ministries. The allocation of specific responsibilities to the various organisational units is partly attributable to local developments and partly to ideas on cultural and educational policy. But for all their differences, the responsibilities of the Länder ministries are corresponding and their forms of organisation comparable.

Taking Hessen and Mecklenburg-Vorpommern as examples, we shall look at the functions and organisational set-up at the departmental level of the ministries responsible for education and science as at June 2018.

Hessian Ministry of Education and Religious Affairs

State Minister: PROF. DR. RALPH ALEXANDER LORZ

The Ministry is composed of the following departments:

Department Z: Personnel, law, organisation, e-government

Department I: The development of quality, all-day schools, educational tasks across all types of school, supervision of the Hessian Teachers Academy

Department II: Household, client management, statistics, regional school development, administrative supervision of the state education authorities

Department III: General education (A) and vocational (B) schools, international education and school system, lifelong learning

Hessian Ministry of Higher Education, Research and the Arts

State Minister: ANGELA DORN

The Ministry is composed of the following departments:

- Department I: Central department
- Department II: Development of institutions of higher education and cultural buildings
- Department III: Institutions of higher education and research
- Department IV: Culture
- Department V: International affairs

Unlike Hessen, Mecklenburg-Vorpommern has just one ministry for the areas of education and science:

Ministry of Education, Science and Culture of the Land Mecklenburg-Vorpommern

Minister: BIRGIT HESSE

The Ministry is divided into the following departments:

- Department 1: General department
- Department 2: Educational planning and school development
- Department 3: Science and research, institutions of higher education
- Department 4: Culture and sports
- Department 5: School supervision and vocational education

State supervision and administration in specific educational sectors

The following description of each individual educational sector provides a comprehensive view of the administration of the various educational institutions.

Pre-school institutions

The education, upbringing and supervision of children until the age of six at which they usually start school, is generally assigned to the child and youth welfare sector. On the federal level, within the framework of public welfare responsibility lies with the Federal Ministry for Family Affairs, Senior Citizens, Women and Youth (*Bundesministerium für Familie, Senioren, Frauen und Jugend – BMFSFJ*), on the level of the Länder, the Ministries of Youth and Social Affairs and, in part, also the Ministries of Education and Cultural Affairs, are the competent authorities. In some Länder, *Vorklassen* (pre-school classes) for children who are ready for school but are not yet of school age, or *Schulkindergärten* (school kindergartens) and *Vorklassen* for children of compulsory schooling age who are not yet ready for school exist. As a rule, these institutions are accountable to the school supervisory authorities.

Public supervision (operating licence) to protect children in day-care centres maintained both by public and non-public bodies is generally exercised by the youth welfare offices of the Länder (*Landesjugendämter*) which are the responsible bodies at Land level for the public child and youth welfare services. This covers in particular compliance with the framework guidelines applicable to group size or staff-to-child ratios, staff qualifications, the space required, and standards relating to equipment, hygiene and safety, safeguarding the rights of children and youths in the facility through appropriate procedures for involvement and the possibility of complaints

in personal matters, measures to develop and ensure quality, and in some Länder, compliance with the pedagogical concept, which is also based on an education plan.

The principles of education policy in the elementary sector are laid down in the Common Framework of the Länder for early education in the early childhood sector (*Gemeinsamer Rahmen der Länder für die frühe Bildung in Kindertageseinrichtungen*) which was resolved by the Standing Conference of the Ministers of Education and Cultural Affairs (*Kultusministerkonferenz – KMK*) and the Youth Ministers Conference (*Jugendministerkonferenz – JMK*) in 2004 and is currently being updated. On the level of the Länder, education plans specify the basic notion of education and describe the day-care centres' independent responsibility for education. The responsibility for the actual educational work performed in the individual day-care centres lies with the maintaining body.

For children under three years of age, moreover, since 2005 child-minding services have gradually been upgraded as an equal-ranking, alternative form of care and the quality of these services developed. Permits for child-minding services are issued by the local youth welfare office (*Jugendamt*) and are dependent on the establishment of the personal suitability of the childminder and also, as a rule, on evidence of a basic qualification. The legally enshrined educational mandate also extends to child-minding services.

School supervision and administration

Under the Basic Law (Art. 7 Paragraph 1) and the constitutions of the Länder (R13–28), the entire school system is under the supervision of the state. Supervision of the general and vocational school system is the responsibility of the Ministries of Education and Cultural Affairs in the Länder in their capacity as the highest educational authorities. The duties of the Ministries of Education and Cultural Affairs in the Länder and of the subordinate education authorities include the organisation, planning, management and supervision of the entire school system. The Länder sphere of influence also includes the detailed regulation of the school's mission and its teaching and educational objectives (*internal school matters*) within the framework of the education acts (R85–102). The educational objectives presented in school legislation are given concrete shape in the curricula for which the Minister of Education and Cultural Affairs of the respective Land is responsible. In order to implement the curricula for the various subjects in the different types of school, textbooks are used as learning material in the classroom. As a rule, these books must be approved by the Ministries of Education and Cultural Affairs; the titles of approved books are regularly published in a list.

While the State is responsible for *internal school matters*, the school-maintaining bodies assume responsibility for *external school matters*. The public maintaining bodies of schools are, as a rule, the towns and cities (*Städte*) and municipalities (*Gemeinden*) and rural districts (*Landkreise*) or municipalities with the status of a district (*kreisfreie Städte*), and to some extent also the Länder. Generally speaking, the school-maintaining body is responsible for external school matters, i.e. school buildings, interior fittings, the procurement and provision of learning and teaching materials, administrative staff and ongoing administration, and also bears the non-personnel costs and the costs for non-teaching staff. The school-maintaining body is also, as a rule, responsible for school organisation measures such as setting up, changing and shutting down schools.

The supervision of schools includes *Rechtsaufsicht* (legal supervision), *Fachaufsicht* (academic supervision) and *Dienstaufsicht* (supervision of the staff at public-sector schools).

Rechtsaufsicht (legal supervision) involves monitoring the lawfulness of the administration of external school matters, which is usually carried out by the *Kommunen* (local authorities) in their capacity as *Schulträger* (maintaining bodies).

Fachaufsicht (academic supervision) over teaching and educational work (internal school matters) in all public-sector schools is another responsibility of the school supervisory authorities. Academic supervision over primary schools and *Hauptschulen*, the various types of *sonderpädagogische Bildungseinrichtungen* (with the exception of residential special schools) and to some extent over *Realschulen* is exercised by the *Schulämter* (lower-level school supervisory authorities). The Ministries of Education and Cultural Affairs, sometimes the middle-level school supervisory authorities and the lower-level school supervisory authorities, supervise all other types of school and schools of particular importance.

Land authority to carry out academic supervision is derived from the state sovereignty over schools enshrined in the Basic Law. This states that the entire school system is under the supervision of the state. The supervisory authorities are awarded the power to check that schools are keeping to the prescribed curricula and *Prüfungsordnungen* (examination regulations) by visiting the school and sitting in on lessons, and to take necessary steps.

The *Fachaufsicht* is limited by the individual pedagogical responsibility of the school and the pedagogical responsibility of the teacher. In several Länder, the school supervisory authorities are legally required to respect the individual pedagogical responsibility of the schools.

Pedagogical responsibility – also termed pedagogical freedom or methodological freedom – includes the right of teachers to teach lessons on their own authority within the framework of the applicable legal provisions. The teacher is guaranteed this freedom in the interests of the pupils, as pupil-oriented teaching can only take place if the teacher has an adequate amount of freedom in selecting the content of lessons, teaching methods and assessment. As the case may be, the pedagogical freedom of the teacher is to be seen in relation to the requirement of acting in a professional manner, and to the pedagogical responsibility of the school. For example, the teachers are bound by the basic pedagogical concepts laid down in the school programmes.

The school supervisory authorities in the Länder also supervise teachers and head teachers of public-sector schools. Staffing issues, management and the general behaviour of the individuals working in the school are subject to such *Dienstaufsicht* (staff supervision). In some Länder, due to the increasing responsibility of the schools, the *Dienstaufsicht* has been transferred to the head teachers.

With increasing institutional independence of schools, the role of school supervision changes as well. In the majority of the Länder, the school supervision is supplemented by mandatory external evaluation (*Schulinspektion*, *Schulvisitation*) which is intended to provide the individual schools with information regarding their quality development. The state's influence on schools is increasingly exercised via the approval of *Schulprogramme* (school-specific programmes) and the determi-

nation of target agreements with the individual schools or head teachers, respectively. During this process, the personal supervision by the school supervisory authorities tends to lose importance compared to the duties of supporting and advising school development and quality management in schools. In this respect, school counselling prepares schools for new tasks and encourages them to promote the pedagogical responsibility of teachers and schools, particularly by instigating a binding agreement that governs pedagogic aims and focal points of the work involved, as well as in the development of school-specific programmes.

In-company vocational training institutions

Regulation of in-company vocational training in the sector of vocational education and training lies within the responsibility of the Federation. Within the Federal Government, the relevant competent ministries adopt, in agreement with the Federal Ministry of Education and Research (*Bundesministerium für Bildung und Forschung* – BMBF), *Ausbildungsordnungen* (training regulations), which are drawn up by the Federal Institute for Vocational Education and Training (*Bundesinstitut für Berufsbildung* – BIBB) pursuant to directions from the competent ministries and under participation of representatives of employers and trade unions. Pursuant to a procedure agreed between the Federation and the Länder (Joint Results Protocol – *Gemeinsames Ergebnisprotokoll*), the training regulations are coordinated with the *Rahmenlehrpläne* (framework curricula) for the classes at *Berufsschulen* which have been simultaneously developed by the Länder.

A training establishment may not only be the individual training company, but also an association of several companies which cooperate in order to meet the requirements of the training regulation (network training – *Verbundausbildung*). Parts of the in-company training may be performed in institutions of the economy which are publicly promoted (*überbetriebliche Berufsausbildungsstätten*). Additionally, privately-maintained educational institutions may also conduct in-company training, in order to compensate for a lack of training places.

At the level of the Länder vocational training committees are set up which are composed of employers', trade unions' and ministerial representatives. They advise the governments of the Länder on vocational training matters. Their responsibilities also include the promotion of a steady further quality development in vocational education and training.

Institutions in the tertiary sector

As a rule, institutions of higher education have the status of a public-law corporation and are public institutions under the authority of the Länder. They can also be established with a different legal form. Under the Basic Law, the freedom of art and scholarship, research and teaching is guaranteed (Art. 5, Paragraph 3), i.e. an autonomous sphere of academic self-administration is needed to guarantee freedom of scholarship. In administrative matters there is a cooperative relationship between the responsible Land ministry and the higher education institution. Within a unitary administration the latter's functions include both academic matters and governmental matters such as personnel, economic, budgetary and financial administration. Independent of this, *Rechtsaufsicht* (legal supervision) and, to a certain extent, *Fachaufsicht* (academic supervision), the power of establishment and organ-

isation and authority over financial and staffing matters all lie with the responsible Land ministry or government.

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. *Prüfungsordnungen* (examination regulations) are dealt with in different ways: as far as study courses leading to a *Staatsprüfung* (state examination) are concerned, the examination regulations are issued by the competent Land ministries or, in agreement with the Land ministry competent for the relevant state examination, by the higher education institutions. As far as examination regulations for *Hochschulprüfungen* (academic examinations) are concerned, they are drawn up and approved by the higher education institution itself in the same way as the study regulations, whereby, depending on Land law, notification to the responsible Land ministry or approval by responsible Land ministry may be required.

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. The decision on accreditation is made by the Accreditation Council on the basis of the provisions in the State Treaty, the corresponding Land ordinances and the agency's expert opinion. The Accreditation Council has been performing its duties within the framework of the Foundation for the Accreditation of Study Courses in Germany (*Stiftung zur Akkreditierung von Studiengängen in Deutschland*). For more information on the accreditation of study courses, see chapter 11.3.

In addition to the higher education institutions to which access is open to all, there are some specialised institutions with restricted access which are maintained by the Federation and the Länder. These include the universities for the Federal Armed Forces and *Verwaltungsfachhochschulen* (*Fachhochschulen* for federal and Land public administration). Finally, Germany has state-recognised institutions of higher education which are under church or private sponsorship.

The higher education acts of the Länder (R128–143) contain the general principles for the legal position of higher education institutions and for the academic and creative arts staff, including the participation of all members of these institutions in self-administration. The higher education legislation of the Länder also regulates in detail the organisation and administration of higher education institutions for those higher education institutions that come within the purview of each Land.

The organisation and administration of *Berufsakademien* (professional academies) are governed by the *Berufsakademie* laws (R147–152) passed in the individual *Länder*. *Berufsakademien* can be divided into *Studienakademien* (study institutions) and, with regard to the practical part of the training offered, designated training establishments (under the terms of a dual system). The state study institutions are *Land* institutions and hence subject to the direct supervision of the ministry responsible for science and research. The training establishments for the practical component of training courses include private businesses, comparable establishments – particularly with regard to the liberal professions – and establishments run by maintaining bodies responsible for the provision of social tasks. The training and examination regulations for individual courses are adopted by the relevant ministry in the form of ordinances.

In addition to the state-run *Berufsakademien*, some *Länder* only offer privately-maintained professional academies, which, in each case, require recognition from the relevant ministry.

Institutions for continuing education

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.

The federal system in Germany means that the regulation of and assistance for general continuing education, continuing education leading to school qualifications, vocational further education at *Fachschulen* and that with an academic bias as well as, in some cases, political programmes, is in the hands of the *Länder*. The responsibilities of the Federation refer in particular to vocational education outside the school context, the development of new methods in continuing education through pilot projects, certain elements of political further education and statistical matters. The promotion of vocational further education under the Social Security Code III (*Drittes Buch Sozialgesetzbuch – Arbeitsförderung – R163*) is the responsibility of the Federal Employment Agency (*Bundesagentur für Arbeit*). The Upgrading Training Assistance Act (*Aufstiegsfortbildungsförderungsgesetz – AFBG – R166*) provides a comprehensive nationwide means for financing vocational career advancement training. Responsibility for further vocational training as regulated by the Vocational Training Act (*Berufsbildungsgesetz – R80*) and the Handicrafts Code (*Handwerksordnung – R81*) 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.

2.8. Administration and Governance at Local and/or Institutional Level

Administration and government at local level

Pre-school institutions

Overall responsibility for pre-school establishments at local level lies with the youth welfare offices, the responsibility for the organisation of specific educational work in day-care centres for children (*Kindertageseinrichtungen*) lies with the maintaining bodies. A special feature is the bipartite nature of the youth welfare office (*Jugendamt*), in which the tasks of the youth welfare office are performed jointly by the administration and the youth welfare committee (*Jugendhilfeausschuss*). The youth welfare committee ensures the involvement of local civil society in fundamental issues of further development of child and youth welfare.

School administration

Public-sector schools are, for the most part, state/local authority schools maintained jointly by the Land and the *Kommunen* (local authorities) or administrative districts. The cost of the teaching staff is borne by the Land and other staff or material costs are borne by the local authority. The local authorities or administrative districts, which are responsible for the establishment and maintenance of schools and supply them with financing, are described as *Schulträger*, or school maintaining bodies.

Schools with a catchment area extending beyond the local authority area, e.g. schools offering specialised education in artistic subjects or sport, certain *Fachschulen* and *sonderpädagogische Bildungseinrichtungen* (special schools) are in the majority of cases state schools, i.e. they are maintained by a Land, which bears the complete staffing and material costs. In some Länder, there are also local authority schools that are established by the local authorities and, in terms of the costs of teaching staff and material costs, are supported solely by them.

In-company vocational training institutions

At the local level, the self-administrative organisations of the economy (chambers of industry and commerce, chambers of handicraft, chambers of agriculture, chambers representing the liberal professions) are responsible for consulting and supervising in-company vocational training and for intermediate and final examinations in accordance with legislation.

At the training companies the elected representatives of the employees have a say in the planning and conduct of in-company vocational training and the appointment of trainees and instructors.

Administration and government at institutional level

Early childhood education and care

Early childhood education includes all institutions run by the non-public and public child and youth welfare services which cater for children until the age of six at which they usually start school.

For children from the age of three years until they start school, the *Kindergarten* is the traditional form of institutionalised early childhood education in Germany. Responsibility for the individual *Kindergarten* lies with the maintaining bodies (e.g. churches, welfare associations, local authorities, parents associations etc.).

For children under three day-care centres for children offer unmixed crèche groups and also some mixed age groups. The target group of children under three is catered for above all by supervision and care offers in child-minding services. Childminders are, as a rule, self-employed, but may also be employed by private bodies or the local authority.

Children in day-care centres in the early childhood education sector are looked after by trained educational staff and by assistant staff as well as graduates from corresponding professional and other Bachelor's, Master's and Magister study programmes. The trained staff include state-recognised *Sozialpädagogen* (graduate youth and community workers) and state-recognised *Erzieher* (pedagogic staff). Some Länder also have assistants who help trained educational staff in their work. These include nursery assistants and social assistants in particular. Day-care centres are generally headed by *Sozialpädagogen* or by *Erzieher*. Heads of the day-care centres also carry out some pedagogical group work.

Some of the staff (especially those in senior positions) have a professional qualifying degree from a *Fachhochschule* or another institution of higher education. This training either comprises a three-year course of study at a higher education institution and one year of practical training or a four-year course of study with two *Praxissemester* (integrated semesters of work experience). Other academically-trained teaching staff include for instance childhood educators (*Kindheitspädagogen*). A variety of Bachelor study courses have now been established in this discipline.

More detailed information about initial education for pedagogic staff in early childhood education and care is available in chapter 9.2.

Primary and secondary education

Schools are run by a head teacher, who bears a particular title (e.g. *Rektor*). He or she is responsible for educational and pedagogical work in the school as a whole and at the same time is a member of the teaching staff. His/her responsibilities and duties are usually set out in the Education Act and in specific regulations for such posts. The head staff are required to cooperate closely with the teachers' conference and the *Schulkonferenz* (school conference) in so far as this is provided for in the primary sector by Land legislation. The head teacher, whilst being subject to the legal and administrative regulations of the school supervisory authority, is also authorised to issue instructions to the other members of the teaching staff and the non-teaching personnel within the framework of his duties relating to *Dienstaufsicht* (staff supervision) and *Fachaufsicht* (academic supervision).

The head teachers' duties include the following:

- Unless this has been entrusted to other staff members, they work out the details of the weekly timetable, supervision and stand-in schedules, endeavouring to ensure that all teachers have about the same workload. They keep track of standards in the various classes by sitting in on lessons and inspecting written work so as to ensure uniform marking standards.
- They are responsible for monitoring all pupils' school attendance and ensuring compliance with the *Schulordnung* (school regulations) and the health protection and accident prevention regulations.
- They represent the school vis-à-vis outside bodies and individuals, notably the *Schulträger* (maintaining authority) and the general public. They may re-

quire outsiders (sales representatives, traders etc.) to leave the premises in order to avoid disruptions of normal school life.

- They conduct the school's external affairs (e.g. purchase of teaching materials) in close cooperation with the *Schulträger* (the authority maintaining the school) and are bound by its instructions in this field.
- During the past years, the scope of duties of the head teacher has expanded due to measures for the legal autonomisation of schools. As such, the right and/or the obligation of the schools to pass, implement and evaluate specific *Schulprogramme* (school-specific programmes) has brought about new duties for the head teacher. As part of securing the quality of the lessons, the head teacher is additionally responsible for lesson development, staff development and organisational development as well as for the planning of further training, staff management and, where applicable, for the administration of budgetary funds.

Whenever the head teacher is prevented from carrying out his functions, all these duties become the affair of the deputy head. In some Länder, the *Kommunen* (local authorities) as the maintaining bodies are involved in the appointment of the head teacher in that they are granted the right to make proposals or asked to give their opinion. For the qualifications required for application see chapter 10.1.

The head teacher generally chairs the conference where all teachers from the whole school meet to discuss matters of shared interest (*Lehrerkonferenz*), which he or she both convenes and presides over. The principle of shared staff responsibility for education and teaching applies in all Länder.

To support the head staff, organisational and administrative tasks (e.g. planning the school timetable, taking charge of the school library) can be transferred to individual teachers. In addition, the Ministry of Education and Cultural Affairs of the Land concerned appoints teachers as consultants for individual subject areas, whose job is to advise and support schools, teachers and officials of the school supervisory authority. The classroom hours of these teachers are reduced to allow them to carry out their management functions or administrative and consultative functions.

Tertiary education

The organisation and administration in higher education institutions essentially falls within the remit of the Länder. As part of the current higher education reforms, the Länder have partly restructured the organisation and administration of their higher education institutions. The detailed state control exercised by the Länder is increasingly being replaced by the autonomous action of higher education institutions. The main aim of the reforms is to strengthen the capacity to act and the achievement potential of the individual higher education institutions by the partial shifting of decision-making competences from the Land ministry and the bodies of participation to the governing board of the higher education institution or the head of the department or faculty. The Federal Constitutional Court, or in individual cases the constitutional court of the Land in question, has already verified the regulations on the overall organisational structure several times on the basis of constitutional law stipulations. In particular, the fundamental right of academic freedom (Art. 5 (3) S. 1 German Basic Law) accordingly results in requirements on the regulation of decision-making powers and creation rights within the institutions of higher

education. The legislature must ensure a sufficient level of involvement of academic/scientific employees – in particular professors – in decisions within the organisation that are relevant for science.

Basically, higher education institutions are organised and administered as follows: Higher education institutions are governed either by a rector (or rector's body) or else by a president (or presidential body). The rector is elected from among the group of professors belonging to that institution, or selected from among external applicants. Anyone who has completed higher education and has the necessary career experience, notably in academic affairs or administration, may be nominated as a rector or president. Alongside the rector or president, higher education institutions have a chancellor who is the most senior administrative officer and is responsible for the budget.

The basic organisational unit at higher education institutions is the department (*Fachbereich*), in some Länder also known as faculty (*Fakultät*). Without impinging on the responsibility of the composite central bodies (*Kollegialorgane*), it performs the duties of the higher education institution that fall within its remit. The *Fachbereich* is responsible for ensuring that its members and scientific establishments are able to carry out the functions entrusted to them. The *Fachbereich* council is responsible for all research and teaching issues. It is chaired by the *Dekan* (dean), who must be a professor from among the council. Under recent laws the dean of a *Fachbereich* exercises a right of supervision and instruction over the professors of the department with regard to the fulfilment of teaching and examination commitments.

Higher education institutions adopt their own statutes, or *Grundordnungen* (basic constitutions) which are subject to the approval of the Ministry of Education or the Ministry of Science and Research of the Land in which they are situated. Depending on the law of the respective Land, decisions on the basic constitution and the election of the governing board of the higher education institution are taken by the senate of the higher education institution, the higher education council or the board of trustees, or a second composite central body (*Konzipil* – Council, *Konvent* – Convention, *Großer Senat* – Full Senate, *Versammlung* – Assembly) in which representatives of the higher education institution, including members of staff and students, collaborate.

In some Länder the former two composite central bodies (*Kollegialorgane*) have been replaced by a single body which carries out the duties of the earlier bodies and is generally responsible for monitoring and advising the governing board of the higher education institution.

Organisation and administration of the state-run *Berufsakademien* are not subject to the provisions of the Framework Act for Higher Education or the Higher Education Acts of the Länder, but are subject to the *Berufsakademie* laws of the Länder. Accordingly, the state-run *Berufsakademien* are predominantly managed by a board of trustees, expert committees and the director of the *Studienakademie* (study institution) offering the theoretical component of training.

Internal consultation

The teachers' conference

One of the bodies of participation in the school sector is the teachers' conference (*Lehrerkonferenz*) in which the teaching staff takes decisions on instruction and education, taking care not to encroach on the freedom of the individual teacher to hold his or her lessons as he or she thinks fit. The term *teachers' conference* applies to the full conference, composed of all the teachers in a particular school, as well as to smaller conferences, made up, for example, of teachers from a particular department or responsible for one single class. It is one of the tasks of the teachers' conference to select textbooks from the lists of textbooks approved by the Ministry. In addition, the teachers' conference is also responsible for deciding on individual disciplinary measures, up to and including expulsion, in conflict situations. In several Länder, parents' (and sometimes pupils') representatives have a right to make their views known and take part in the deliberations of such bodies. They are not, however, as a rule, permitted to take part in discussions and decisions on what marks to award in certificates or whether pupils should or should not be moved up to the next school grade. In some Länder, parents' and, as the case may be, pupils' representatives have an advisory vote in conferences deliberating on certificates and/or on whether or not pupils should be moved up to the next grade. In the full conference, where all teachers from the whole school meet, it is generally the head teacher who presides over the conference and is responsible for the implementation of any decisions.

School conference

Besides the teachers' conference, the *Schulkonferenz* (school conference) generally exists as an additional organ governing cooperation between the head staff and teachers, pupils and parents as well as external cooperation partners, if applicable. It is constituted in different ways in the individual Länder. Sometimes teachers, parents and pupils are represented in equal numbers in the school conference, and sometimes teachers and/or parents are more strongly represented. The school conference is either chaired by the head of the school or by a member elected by the conference.

School conferences have different consulting rights and rights to participation in the various Länder. The Länder Education Acts contain different sets of objectives for the school conferences, but these do not represent hard and fast regulations. In most cases the *Schulkonferenz* is involved in the following areas:

- Organisation of school life and teaching: school regulations and disciplinary rules, lessons and breaks, allocation of classrooms
- Pupils' protection: road safety provisions for children on their way to and from school, school transport and prevention of accidents on the school premises
- Organisation of events outside school, but under school supervision, e.g. school partnerships and stays at residential facilities in the country, visits to factories and museums etc., school rambles

The school conference may also deal with general educational and teaching questions, e.g. the suitability of textbooks, classwork and homework requirements and the standards for the award of the different marks. The conference has the power to

reach binding decisions on such matters as homework supervision, pupils' workgroups and the holding of pilot projects. In some Länder it also discusses and approves, or rejects, the organisation of the school in its present form, its division, relocation or merger with another school and construction projects as well as the school furnishings and equipment. Finally, corrective and disciplinary measures in conflict situations and counselling for parents and pupils may be dealt with.

In some Länder, the school conference has a say in the selection of the head teacher. The authority it enjoys in this respect varies between the Länder, from the right to propose a head teacher to the right to reject a particular choice. For legal reasons, however, it is the school's supervisory authority which actually appoints the head teacher.

Pupils' participation

The Länder Education Acts (R85–102) and school participation laws (R121) recognise pupils' basic right to participation and regulate the make-up and responsibilities of the pupils' representative body. Pupils elect pupil representatives from their forms or year groups to look after their interests in accordance with the principle of representation. Pupil representatives together make up the pupil parliament (*Schülerparlament*, also known as the *Schülerrat* or *Schülerausschuss*). This body elects one or more pupil spokespersons for the whole school. In some Länder the pupil representatives are elected directly by all pupils. At local authority (*Kommunen*), town or district level, they are usually organised into local-authority, town or district pupil parliaments (*Gemeindeschülerrat*, *Stadtschülerrat*, *Kreisschülerrat*) and at Länder level into Länder pupil councils (*Landesschülerrat*). The school and the school supervisory authorities may not usually influence the choice of pupil representatives.

As well as the pupil representation organs, Land Education Acts or school constitution acts also provide for general assemblies of pupils (*Schülervollversammlungen*) either from the entire school or from different levels of the school, where it is intended that all pupils in a school or particular level of that school exchange opinions and hold talks or discussions.

Internal consultation in the tertiary sector

In their capacity as a public-law corporation and, at the same time, a public institution, institutions of higher education have the right of self-administration. Under the Framework Act for Higher Education (*Hochschulrahmengesetz* – R122) and the Länder laws governing higher education (R128–143), all members of a higher education institution, i.e. all those whose main employment is at the institution and all matriculated students, are involved in the decision-making process. One or two composite central bodies are constituted to govern cooperation between the governing board of the institution and the members of that institution. For the purpose of their representation in bodies of participation, the following each form a group of their own:

- the professors
- the students
- academic staff
- the other staff members

The group allocation of doctoral candidates is regulated differently in the higher education laws of the Länder. The type and scope of participation of the groups in the higher education bodies depend on the qualifications, functions and responsibilities of the parties involved and who the decisions affect. It is the professors who have the majority of votes in those bodies composed according to the various types of member that have the power of decision-making on research, artistic development programmes and the appointment of professors. Professors have at least half of the votes in matters regarding teaching, with the exception of evaluation.

Students usually set up *Studierendenschaften* (student bodies) to look after student interests in terms of higher education policy and social and cultural matters, supra-regional and international student relations as well as those student interests relating to the responsibilities of the higher education institutions. These student bodies, of which each student automatically becomes a member upon matriculation, are self-administrative. They are represented by the student parliament (*Studierendenparlament*) and the General Student Committee (*Allgemeiner Studierendenausschuss* – AStA) at most institutions of higher education. Both are elected by the students. The *Studierendenschaft* is subject to the *Rechtsaufsicht* (legal supervision) of the governing body of the higher education institution. Students also participate in teaching evaluation.

Participation of members in the administration and organisation of the *Berufsakademien* is regulated in the *Berufsakademie* laws (R147–152) of the Länder. Under these laws, the director of the *Studienakademie* (study institution), representatives of the teaching staff, the involved training establishments, and the students are represented in the various committees, where they have a say in both fundamental and subject-related issues, as well as in the matter of coordination between the study institution and the involved training establishments.

Consultation involving players in society at large

According to the Basic Law (*Grundgesetz* – R1), the care and upbringing of children are a natural right of parents and a duty primarily incumbent on them (Art. 6, Paragraph 2). However, the state keeps watch over the exercise of parental rights. The term *parents* refers to the respective persons who have parental power, i.e. those persons whom the care and custody of the child or young person has been conferred upon.

Consultation and participation in the pre-primary sector

In the field of early childhood education and care collaboration with parents is particularly important. Social Security Code VIII (*Achtes Buch Sozialgesetzbuch – Kinder- und Jugendhilfe* – R61) lays down that parents and legal guardians are to be involved in decisions on important matters relating to instruction, education and care (Section 22a, paragraph 2). This is carried out inter alia through the establishment of parents' councils (*Elternbeiräte*), which is regulated by Land law. Cooperation with the parents and legal guardians is also anchored in the education plans of the Länder. At the individual level the experts in the establishments are required to work together with the parents and legal guardians for the welfare of the children and to ensure the continuity of the education process. The concept of educational partnership (*Bildungs- und Erziehungspartnerschaft*) has therefore become firmly grounded in the professional debate.

In addition, different forms of cooperation have more recently been established between day-care centres for children and other family and child-related offers in the community with the aim of guaranteeing comprehensive support for children offering the best possible quality. One outcome of this is the further development of a growing number of day-care centres for children into family centres.

Parents' participation in the school sector

The state is fundamentally responsible for the schooling of children under Article 7, Paragraph 1 of the Basic Law. However, the state's right to regulate the education of children at school is limited by parental rights to bring up their children, without it being possible to derive specific rights to a say and rights of participation from parental rights. However, the Länder are free to equip parents' councils with rights to participation.

Parents exercise their rights, on the one hand, individually and, on the other hand, collectively through parents' groups and their representatives on other consulting and decision-making bodies at schools. The rights to a say enjoyed by the parents of primary school pupils do not fundamentally differ from those afforded parents of secondary school pupils who have not yet reached their majority.

Each of the Länder has developed its own approach to participation at school, whereby the collective participation of parents at school level and inter-school level is regulated to varying degrees and in diverse manners in the constitutions of the Länder and in the Education Acts. It is generally the case, however, that parents have an opportunity to make their views felt at two levels, the lower level being the individual class (in bodies called *Klassenelternversammlung* or *Klassenpflegschaft*) and the upper level being the school as a whole (in the *Schulelternbeirat* or *Elternvertretung*). At a higher level we find regional parents' councils at the level of the local authority or district and, higher still, the representative organs at the Land level (*Landeselternbeirat*), sometimes organised according to the different school types. Finally, the representative bodies combine to form a single federal parents' council at national level (*Bundeselternrat*), in order to provide a forum for information for parents on developments in the field of education policy and to advise parents on school-related issues.

Other social groups involved in participation in the school sector

With the exception of vocational schools there are no provisions for individuals or institutions other than teachers, parents and pupils to have a say at the school level, be it individual classes or the school as a whole.

It is not until we reach the regional level or the Land level that representatives of business, the trade unions, the churches, local authority associations, institutions of higher education, youth associations and public figures are also involved in the decision-making process. These interest groups can exert influence on school affairs of general or fundamental importance at Land level, either through the permanent advisory committees (*Landesschulbeiräte*) or through legally regulated ad-hoc questioning. At the request of their members, however, such representatives may also be invited to attend meetings of lower-level bodies for information and advice.

The expansion of all-day school types has significantly increased the trend towards involving external learning partners in the local school-based social and academic educational work.

External consultation in the tertiary sector

In order to support the management of the higher education institution in matters of basic relevance by means of external expertise, higher education councils (*Hochschulrat*) or boards of trustees (*Kuratorium*) have been established in almost all of the Länder and include personalities from the economy or scientists from other institutions. Depending on the law of the respective Land, these bodies can exercise a right of veto or participation in, for example, basic budgetary issues or decisions regarding the development plans of the higher education institution. As a rule, they also have an advisory function and make recommendations.

Participation and consultation involving players in the society at large in the sector of continuing education

Various forms of cooperation have evolved between continuing education institutions, organisations which maintain continuing education and social partners (local authorities and Länder authorities, companies, employers' and employees' representatives, chambers of industry and commerce and other self-governing organisations within industry). However, this does not affect the freedom of institutions to take decisions relating to the courses they organise or the teaching staff they select.

2.9. Statistics on Organisation and Governance

Children in day care 2017

	Children under the age of three		Children aged three to six	
	Number	Attendance rate	Number	Attendance rate
Germany	762,361	33.1	2,018,809	93.4

Source: Statistisches Bundesamt, Statistiken der Kinder- und Jugendhilfe. Kinder und tätige Personen in Tageseinrichtungen und in öffentlich geförderter Kindertagespflege am 01.03.2017

Vorklassen and Schulkindergärten in the school year 2016/2017

Type of institution	Number of institutions	Pupils
<i>Vorklassen</i>	290	11,089
<i>Schulkindergärten</i>	970	16,503

Source: Statistisches Bundesamt, Bildung und Kultur. Allgemeinbildende Schulen. Fachserie 11, Reihe 1 – Schuljahr 2016/2017

**Privately-maintained *Vorklassen* and *Schulkindergärten* in the school year
2016/2017**

Type of school	Number of schools	Pupils	Proportion of the total of pupils attending the respective type of institution in per cent
<i>Vorklassen</i>	33	1,136	10.2
<i>Schulkindergärten</i>	98	2,746	16.6

Source: Statistisches Bundesamt, Bildung und Kultur. Private Schulen. Fachserie 11, Reihe 1.1 – Schuljahr 2016/2017

Primary schools – *Grundschulen* – in the school year 2016/2017

Number of schools	Teachers (full-time teacher units)	Pupils
15,465	170,393	2,773,435

Source: Statistische Veröffentlichungen der Kultusministerkonferenz, Nr. 215, 2018 and Statistisches Bundesamt, Bildung und Kultur. Allgemeinbildende Schulen. Fachserie 11, Reihe 1 – Schuljahr 2016/2017

In 2016 the ratio of pupils to teachers in *Grundschulen* (primary schools) was 16.3 pupils for each teacher, while there were 20.8 pupils per class on average.

**Privately-maintained primary schools – *Grundschulen* – in the school year
2016/2017**

Number of schools	Pupils	Proportion of the total of pupils attending the respective type of school in per cent
868	96,462	3.5

Source: Statistisches Bundesamt, Bildung und Kultur. Private Schulen. Fachserie 11, Reihe 1.1 – Schuljahr 2016/2017

Secondary schools providing general education by selected type of school, in the school year 2016/2017

Type of school	Schools
Non-type-related <i>Orientierungsstufe</i>	1,053
<i>Hauptschulen</i>	2,625
Schools offering both <i>Hauptschule</i> and <i>Realschule</i> courses	1,849
<i>Realschulen</i>	2,070
<i>Gymnasien</i>	3,110
<i>Integrierte Gesamtschulen</i> (including primary education)	2,058
<i>Freie Waldorfschulen</i> (including primary education)	223
Total	12,988

Source: Statistisches Bundesamt, Bildung und Kultur. Allgemeinbildende Schulen. Fachserie 11, Reihe 1 – Schuljahr 2016/2017

Pupils at selected secondary schools providing general education, as per 2016

Lower secondary level	
Non-type related <i>Orientierungsstufe</i>	103,970
<i>Hauptschulen</i>	431,806
Schools offering both <i>Hauptschule</i> and <i>Realschule</i> courses	520,593
<i>Realschulen</i>	852,792
<i>Gymnasien</i>	1,417,114
<i>Integrierte Gesamtschulen</i>	760,520
<i>Freie Waldorfschulen</i>	41,477
Total	4,128,272
Upper secondary level	
<i>Gymnasien</i>	836,407
<i>Gymnasiale Oberstufe</i> at the <i>Integrierte Gesamtschule</i>	121,874
<i>Freie Waldorfschulen</i>	16,109
Total	974,390

Source: Statistische Veröffentlichungen der Kultusministerkonferenz, Nr. 215, 2018

Vocational schools by type of school, in the school year 2016/2017

Type of school	
Part-time <i>Berufsschulen</i>	1,536
<i>Berufsgrundbildungsjahr</i> at school including <i>Berufsvorbereitungsjahr</i>	1,364
<i>Berufsfachschulen</i>	2,328
<i>Fachoberschulen</i>	863
<i>Berufliche Gymnasien</i>	892
<i>Berufsoberschulen/Technische Oberschulen</i>	254
Other	109
Total	7,346

Source: Statistisches Bundesamt, Bildung und Kultur. Berufliche Schulen. Fachserie 11, Reihe 2 – Schuljahr 2016/2017

Pupils at selected vocational schools in the school year 2016/2017

Type of school	
<i>Berufsschulen</i> (part-time)	1,420,463
of which: <i>Berufsschulen</i> in the dual system	1,415,389
of which: <i>Berufsvorbereitungsjahr</i>	5,074
<i>Berufsschulen</i> (full-time)	124,973
of which: <i>Berufsvorbereitungsjahr</i>	118,152
of which: <i>Berufsgrundbildungsjahr</i> at school	6,821
<i>Berufsfachschulen</i>	423,740
<i>Berufsoberschule/Technische Oberschule</i>	16,973
<i>Berufliche Gymnasien</i>	193,184
<i>Fachoberschulen</i>	139,030
Other	9,168
Total	2,327,531

Source: Statistische Veröffentlichungen der Kultusministerkonferenz, Nr. 215, 2018

Trainees in the dual training system by sector, as per 2017¹

Sector	
Industry and commerce	770,514
Crafts	364,101
Agriculture	32,898
Civil service	38,655
Liberal professions	112,140
Home economics	5,586
Total	1,323,894

¹ The figures have been rounded to a multiple of 3 in each case. The overall amount may therefore differ from the sum total of the individual values.

Source: Statistisches Bundesamt, Bildung und Kultur. Berufliche Bildung. Fachserie 11, Reihe 3 – 2017

Teachers at secondary schools providing general education, as per 2016 (Full-time teacher units)

Lower secondary level	
Non-school type-related <i>Orientierungsstufe</i>	8,258
<i>Hauptschulen</i>	38,029
Schools offering both <i>Hauptschule</i> and <i>Realschule</i> courses	42,728
<i>Realschulen</i>	53,397
<i>Gymnasien</i>	94,973
<i>Integrierte Gesamtschulen</i>	60,231
<i>Freie Waldorfschulen</i>	3,186
Total	300,802
Upper secondary level	
<i>Gymnasien</i>	69,502
<i>Integrierte Gesamtschulen</i>	10,453
<i>Freie Waldorfschulen</i>	1,316
Total	81,271

Source: Statistische Veröffentlichungen der Kultusministerkonferenz, Nr. 215, 2018

Teachers at selected vocational schools in the school year 2016/2017
(Full-time teachers and part-time teachers counted in terms of the equivalent number of full-time teachers)

Type of school	
<i>Berufsschulen</i> (part-time)	41,340
of which: <i>Berufsschulen</i> in the dual system	41,161
of which: <i>Berufsvorbereitungsjahr</i>	179
<i>Berufsschulen</i> (full-time)	9,968
of which: <i>Berufsvorbereitungsjahr</i>	9,282
of which: <i>Berufsgrundbildungsjahr</i>	686
<i>Berufsfachschulen</i>	31,672
<i>Berufliche Gymnasien</i>	1,399
<i>Berufsoberschulen/Technische Oberschulen</i>	15,090
<i>Fachoberschulen</i>	7,916
Others	1,217
Total	108,602

Source: Statistische Veröffentlichungen der Kultusministerkonferenz, Nr. 215, 2018

**Pupil-teacher ratio and number of pupils per class at
lower secondary level in the school year 2016/2017**

Type of school	Pupils per teacher	Pupils per class
<i>Orientierungsstufe</i> independent of school type	12.6	21.0
<i>Hauptschulen</i>	11.4	19.3
Schools offering both <i>Hauptschule</i> and <i>Realschule</i> courses	12.2	21.9
<i>Realschulen</i>	16.0	25.3
<i>Gymnasien</i>	14.9	25.7
<i>Integrierte Gesamtschulen</i>	12.6	24.2
<i>Freie Waldorfschulen</i>	13.0	24.9

Source: Statistische Veröffentlichungen der Kultusministerkonferenz, Nr. 215, 2018

Pupil-teacher ratio and number of pupils per class in selected full-time vocational schools 2016

Type of school	Pupils per teacher	Pupils per class
<i>Berufsschulen in the dual system</i>	34.4	19.3
<i>Berufsvorbereitungsjahr</i>	13.0	15.7
<i>Berufsgrundbildungsjahr</i>	9.9	19.5
<i>Berufsfachschulen</i>	13.4	20.4
<i>Berufsoberschulen/Technische Oberschulen</i>	12.1	20.1
<i>Fachoberschulen</i>	17.6	22.2

Source: Statistische Veröffentlichungen der Kultusministerkonferenz, Nr. 215, 2018

**Selected privately-maintained schools in the secondary sector in the school year
2016/2017**

Type of school	Number of schools	Pupils in the secondary sector	Proportion of the total of pupils attending the respective type of school in per cent
General education schools			
<i>Orientierungsstufe</i> independent of school type	133	7,279	7.0
<i>Hauptschulen</i>	176	20,418	4.8
Schools offering both <i>Hauptschule</i> and <i>Realschule</i> courses	211	34,445	6.6
<i>Realschulen</i>	328	96,462	11.3
<i>Gymnasien</i>	538	270,487	12.0
<i>Integrierte Gesamtschulen</i> (schools including primary education)	265	48,097	5.9
<i>Freie Waldorfschulen</i> (schools including primary education)	223	57,533	100
Selected types of vocational schools			
<i>Berufsschulen</i> ¹	204	37,245	2.6
<i>Berufsfachschulen</i>	1,018	100,374	23.6

¹ Part-time -*Berufsschulen* in the dual system including *Berufsgrundbildungsjahr* on a cooperative basis.

Source: Statistisches Bundesamt, Bildung und Kultur. Private Schulen. Fachserie 11, Reihe 1.1 – Schuljahr 2016/2017

Institutions of higher education by type
(as per the 2018 summer semester)

Universities and equivalent institutions	121
<i>Fachhochschulen</i>	218
Colleges of art and music	57
Total	396

Source: Hochschulrektorenkonferenz, Hochschulen in Zahlen 2018

Institutions of higher education by type of funding
(as per the 2018 summer semester)

state-run higher education institutions	240
non-state, state-recognised higher education institutions	156
of which private	117
of which church-maintained	39

Source: Hochschulrektorenkonferenz, Hochschulen in Zahlen 2018

German and foreign students by type of institution of higher education¹
(as per the 2017/2018 winter semester)

	Total	Universities and equivalent institutions	Colleges of art and music	<i>Fachhochschulen</i> including <i>Verwaltungsfachhochschulen</i>
Germans	2,470,395	1,534,372	24,426	911,597
Foreigners	374,583	247,801	11,660	115,122
Total	2,844,978	1,782,173	36,086	1,026,719

¹ Including those higher education institutions for which there are no detailed figures but rather key data from the previous report.

Source: Statistisches Bundesamt, Bildung und Kultur. Studierende an Hochschulen. Fachserie 11, Reihe 4.1 – Wintersemester 2017/2018

Students by subject categories
(as per the 2017/2018 winter semester)

Students	
Humanities	341,642
Sport	28,199
Law, economics and social sciences	1,048,789
Mathematics, natural sciences	318,675
Human medicine/Health sciences	176,633
of which: Health sciences in general	67,536
of which: Human medicine	93,946
of which: Dentistry	15,151
Agronomy, forestry, nutritional science, veterinary medicine	63,579
Engineering sciences	769,085
Fine arts, art studies	94,264
Other subjects and unclear	4,112
Total	2,844,978

Source: Statistisches Bundesamt, Bildung und Kultur. Studierende an Hochschulen. Fachserie 11, Reihe 4.1 – Wintersemester 2017/2018

Final examinations as per 2017

Examinations	
Total	501,734
<i>Diplom</i> (U) and corresponding final examinations ¹	32,145
Teaching examinations	44,248
of which: Bachelor's degree	11,512
of which: Master's degree	13,926
Bachelor's degree (without teaching examinations)	252,286
Master's degree (without teaching examinations)	136,457
Degrees at <i>Fachhochschulen</i>	8,194
Doctoral degree	28,404

¹ Including final examinations in artistic and other subjects.

Source: Statistisches Bundesamt, Bildung und Kultur. Prüfungen an Hochschulen, Fachserie 11, Reihe 4.2 – 2017

Students at *Berufsakademien* in the tertiary sector by subject categories 2016

Sport	10
Law, economics and social sciences	6,583
Mathematics, natural sciences	102
Human medicine/Health sciences	579
Agronomy, forestry, nutritional science, veterinary medicine	48
Engineering sciences	2,080
Fine arts, art studies	502
Total	9,904

Source: Statistisches Bundesamt, Bildung und Kultur. Statistik der Studierenden, Prüfungen und des Personals an Berufsakademien. Fachserie 11, Reihe 4.8 – 2018

***Fachschulen* in the school year 2016/2017**

Schools	1,483
Pupils	187,682
Teachers	10,804

Source: Statistisches Bundesamt, Bildung und Kultur. Berufliche Schulen, Fachserie 11, Reihe 2 – Schuljahr 2016/2017 and Statistische Veröffentlichungen der Kultusministerkonferenz, Nr. 215, 2018

Privately-maintained *Fachschulen* in the school year 2016/2017

Schools	538
Pupils	62,963
Proportion of the total of students attending <i>Fachschulen</i> in per cent	33.5

Source: Statistisches Bundesamt, Bildung und Kultur. Private Schulen. Fachserie 11, Reihe 1.1 – Schuljahr 2016/2017

Participation in continuing education by sector

Proportion of people (population 18–64 years old), who in the last 12 months have participated in:	2012	2014	2016
Type 1: in-company continuing education	35	37	36
Type 2: individual vocational continuing education	9	9	7
Type 3: non-vocational continuing education	13	12	13
Participation in continuing education as a whole (multiple selections)	49	51	50

Source: Bundesministerium für Bildung und Forschung, Weiterbildungsverhalten in Deutschland – AES 2016 Trendbericht

Participation in continuing education by subject area 2016

Topic area	2012	2014	2016
Languages, culture, politics	13	10	14
Basic education courses, literacy	1	0	1
Art, music, media	4	3	4
Languages, literature, history, religion, philosophy	7	5	1
Politics and society, information science	2	2	2
Educational science and social competence	8	9	9
Personal development, communication, social competence	3	3	3
Teaching and training	3	3	4
Youth and social work	2	2	3
Health and sport	19	21	18
Medical subjects, pharmacy	5	6	6
Health, care, medical services	10	11	8
Sport	3	3	4
Business, labour, law	33	34	31
Trade, marketing, accountancy	7	6	7
Management, administration	5	4	4
Labour and organisation, working environment	9	10	7
Legal subjects	3	3	3
Personal services	2	2	2
Health and safety, environmental protection	6	8	6
Nature, technology, computers	25	23	24
Natural science subjects	1	1	1
Mathematics, statistics	1	0	0
Information technology	2	1	1
Working with computers, software topics	8	7	7
Engineering, technology	5	4	5
Manufacturing industries, construction	3	2	1
Agriculture, zoology	1	1	1
Traffic, transport	5	5	5
Security services	1	1	2
Not classifiable, or only classifiable on single digit level	2	4	4
Total	100	100	100

Source: Bundesministerium für Bildung und Forschung, Weiterbildungsverhalten in Deutschland – AES 2016 Trendbericht

Volkshochschulen in 2016
Courses and enrolment by programme area

	Courses		Enrolment	
	Number	per cent	Number	per cent
Politics, social studies, environment	36,748	6.2	516,926	7.8
Humanities, design	89,245	15.0	870,251	13.2
Health education	197,394	33.2	2,336,793	35.4
Languages	202,140	34.0	2,303,676	34.9
Work, career	51,237	8.6	427,007	6.5
Basic education, school leaving qualifications	17,566	3.0	150,588	2.3
Total	594,330	100	6,605,241	100

Source: Volkshochschul-Statistik, working year 2015, 2016

Abendschulen and Kollegs in 2016

Schools	313
Students – total	48,096
at Abendhauptschulen	1,149
at Abendrealschulen	17,659
at Abendgymnasien	14,197
at Kollegs	15,091
Teachers – total	3,420
at Abendhauptschulen	66
at Abendrealschulen	874
at Abendgymnasien	1,083
at Kollegs	1,397

Source: Statistisches Bundesamt, Bildung und Kultur. Allgemeinbildende Schulen, Fachserie 11, Reihe 1 – Schuljahr 2016/2017 and Statistische Veröffentlichungen der Kultusministerkonferenz, Nr. 215, 2018

Privately-maintained *Abendschulen* and *Kollegs* in the school year 2016/2017

Number of schools	Pupils	Proportion of the total of pupils attending the respective type of school
84	8,709	18.1

Source: Statistisches Bundesamt, Bildung und Kultur. Private Schulen Fachserie 11, Reihe 1.1 – Schuljahr 2016/2017

Pupils with special educational support in general education schools in 2016

Focus of special education	Pupils with special educational support in			Attendance rate in percent ¹⁾
	Special schools	Mainstream schools	Mainstream schools and special schools in total	
Learning	98,196	92,973	191,169	2.61
Sight	4,600	3,549	8,149	0.11
Hearing	10,382	8,779	19,161	0.26
Speech	29,704	26,228	55,932	0.76
Physical and motor development	23,903	12,683	36,586	0.50
Mental development	77,143	10,373	87,516	1.19
Emotional and social development	37,833	48,961	86,794	1.18
Types of special education not assigned to any other disability category	13,085	1,990	15,075	0.21
Learning, speech, emotional and social development (LSE)	12,323		12,323	0.17
Sick	10,833	275	11,108	–
All types of special education	318,002	205,811	523,813	6.99

¹ Percentage of all pupils of compulsory schooling age (Years 1-10 including special schools)

Source: Statistische Veröffentlichungen der Kultusministerkonferenz, Nr. 214, 2018

Special schools in the school year 2016/2017

	Number of schools	Pupils	Proportion of the total of pupils attending the respective type of school in per cent
Special schools	2,913	317,610	100
of which privately - maintained	663	71,627	22.6

Source: Statistisches Bundesamt, Bildung und Kultur. Allgemeinbildende Schulen, Fachserie 11, Reihe 1 – Schuljahr 2016/2017 und Statistisches Bundesamt, Bildung und Kultur. Private Schulen, Fachserie 11, Reihe 1.1 – Schuljahr 2016/2017