

Joint Programmes, Implementation (*Joint-programme-Empfehlung*)

The Federal Ministry of Education, Science and Research recommends for the purpose of drafting joint programmes (art. 51 para. 2 subpara. 27 of the Universities Act 2002 – UG, BGBl. I No. 120/2002, art. 3 para. 2 subpara. 10 of the University of Applied Sciences Act – FHG, BGBl. No. 340/1993, and art. 35 subpara. 4 of the Teacher Education Act 2005 – HG, BGBl. I No. 30/2006, each as amended) to take into account the following:

1. Definition

- The term “Joint programme” (“*Gemeinsames Studienprogramm*”) shall designate a degree programme which is to be implemented jointly on the basis of an agreement between one or more Austrian public universities, private universities, universities of applied sciences/university of applied sciences degree programmes or, respectively, university colleges of teacher education (subsequently referred to as “Higher education institutions”, “HEI”) as well as foreign recognized institutions of post-secondary education, where there is to be awarded jointly one or more academic degrees which have legal effects in the countries of all partner institutions. In these agreements shall be laid down which achievements the respective students will have to fulfil at the institutions concerned. Moreover there shall be laid down, on the basis of ECTS or compatible with it, by the partner HEI integrated procedures for the mutual recognition of the examinations concerned.
- This definition takes pattern from the definition of European Union Masters Courses (Decision No. 2317/2003/EG, Annexe, Action 1).
- For simplification, a two-partners-pattern will be used below. This can apply in an analogous way to cases with more HEI concerned.

2. Category and Establishment of the study programme

- Joint programmes are, according to the legal definition, degree programmes. Consequently, they have to be bachelor, master, diploma or doctoral programmes. In that, either parts of degree programmes which have already been established can be joined, in the kind of modules, with parts of corresponding degree programmes of a partner institution to an ingenious totality, or new full degree programmes can

be coordinated and offered jointly with a partner institution without being bound to degree programmes already established. At university colleges of teacher education even certificate programmes for further education may be offered as Joint programmes.

- As far as the joint programme is composed not only of parts of already existing degree programmes, the competent body (at public universities the Senate according to art. 54 para. 10 in connection with art. 25 para. 1 subpara. 10 UG) shall enact a particular curriculum.
- Where the details of a joint programme will be laid down only case-by-case, like with “co-tutelle programmes”, each individual contract between the student, the supervisors of both HE institutions and possibly the rectorate should be approved by the officer to administrate matters concerning the enforcement of study law according to art. 19 para. 2 subpara. 2 UG.

3. Admission to studies

- Students of an Austrian HEI who intend to pass parts of their studies at a partner institution in the framework of a joint programme shall pay attention to the necessity of notification to the Austrian HE institution the continuation of their studies for those semesters in which a study or examination activity or the assessment of scientific or artistic theses at this HE institution is foreseen. The agreements should provide for those cases in a detailed way.
- Students of a partner institution who intend to pass parts of their studies at an Austrian HE institution in the framework of a joint programme, shall be treated, with regard to the admission period, in an analogous way to students in the framework of a mobility programmes. Therefore the general admission period at public universities is open for them, even if they are not EEA citizens (art. 61 para. 3 subpara. 3 UG). Besides, the Rectorate can, if needed, make different provisions for the general admission period (art. 61 para. 5 UG). According to art. 63 para. 5 subpara. 1 UG, such students shall be admitted for a limited period of time, i.e. for the duration of the part of studies which has, according to the agreement, to be carried through in Austria, provided that the general and the special university entrance qualifications are fulfilled, even if the Senate has otherwise defined the existence of unacceptable study conditions for a given field of studies. In case that only modules of distance learning are concerned, the limited admission can be granted, according to art. 63 para. 5 subpara. 2 UG, for a maximum of two semesters. The general as well as the special university entrance qualifications are supposed to be proved only by the nomination by the partner institution according to art. 63 para. 6 UG; therefore there shall be no demand for additional pieces of

evidence. Likewise the regulations on legalization of documents do not apply in those cases.

- It is recommended to proceed in an analogous way with regard to degree programmes at private universities and for university of applied sciences degree programmes. At university colleges of teacher education this does not apply.

4. Tuition fees

- According to art. 92 para. 1 subpara. 1 UG, tuition fees shall be waived during those semesters for which the respective students give evidence of carrying through studies in the framework of university mobility programmes. This applies to students (from as well as to Austria) in the framework of joint programmes, because, according to art. 61 para. 3 subpara. 3 UG, joint programmes are a particular kind of mobility programmes.
- The same applies, according to 71 para. 1 subpara. 1 HG, to degree programmes at university colleges of teacher education.
- It is recommended to proceed in an analogous way, if applicable, with regard to degree programmes at private universities and university of applied sciences degree programmes.

5. Examinations

- The organisation of examinations has to be seen in connection with the course of a study programme between the partner institutions. The distribution of single examinations to the HE institutions should be included in the relevant agreement. Art. 78 UG shall not apply.
- It is recommended to proceed in an analogous way with regard to degree programmes at private universities and for university of applied sciences degree programmes. At university colleges of teacher education this does not apply.

6. Theses

- Art. 80 to 82 UG enable the universities to charge foreign supervisors and assessors of theses.
- As this is a crucial point of the organisation of joint programmes, the agreement should in any case determine the procedure of supervision and assessment as strictly as possible.
- It is recommended to proceed in an analogous way with regard to degree programmes at private universities and university of applied sciences degree programmes.

7. Academic degree

- The completion of a joint programme should lead to the award either of a jointly awarded academic degree or of double/multiple academic degrees that let the holder profit by all legal effects in both countries concerned, above all with regard to access to the relevant professions, without a recognition procedure being required. Therefore the academic degree shall be anchored in the national legal systems of both countries involved.
- Be the case that the academic degree to be awarded reads equally in both countries involved, the partner HEI can award it jointly in this wording ("Joint degree").
- Otherwise ("Double/multiple degree") the HEI concerned should lay down in a detailed way the manner of the award.
- The law gives the possibility to award an academic degree jointly by the Austrian institution and the foreign partner institution by only one diploma. The prerequisite for that is according to art. 87 para. 5 UG and art. 65 para. 5 HG that, with a study programme to an extent of 120 ECTS credits at least 30, with a study programme to an extent of more than 120 ECTS credits at least 60 have been gathered under the responsibility of the foreign partner institution. This should apply in an analogous way to degree programmes at private universities and university of applied sciences degree programmes.
- Where it is, according to the legal rules of partner HEI involved, necessary, the award can also take place separately in the form of the relevant documents of award which are normally used by the partner institutions. In these cases there should be additionally conferred a joint document as a "bridging" one, in that the three documents should, if possible, form one set of documents. In that case the joint document will have only a declaratory effect.
- It is essential in favour of the legal certainty and the equal treatment that provisions for the fulfilment of the requirements of art. 87 para. 1 UG, art. 6 para. 1 FHG and, respectively, art. 65 paras. 1 and 2 HG (character as an official notice), and art. 69 para. 2 UG, art. 4 para. 9 FHG and, respectively, art. 60 para. 2 HG (Diploma Supplement) have been made, independent on the form of issue of the diploma. In case that the common diploma of award is delivered in two languages, a separate translation into English according to art. 87 para. 3 UG, art. 5 para. 2a FHG and, respectively, art. 65 para. 3 HG, is possible, but not absolutely necessary, because the provisions on joint programmes shall be understood as specific ones.
- The academic degree to be awarded may be, according to art. 88 para. 1 UG, used. If the prerequisite of art. 88 para. 1a UG applies, the entry in documents can be requested. If needed, a hint can be given in the spirit of art. 88 para. 1 UG that the academic degree has a different wording at the partner institution. Likewise in the

case of art. 88 para. 1 UG there is no objection against a reference to the awarding partner institutions.

8. Sample agreement

- As an annexe to this recommendation there can be found a sample agreement in English and German, which has been drafted jointly by the Federal Ministry of Science and Research, Universities Austria, the Austrian Conference of Universities of Applied Sciences, and the Austrian National Union of Students. This sample should serve, as far it seems to be possible for the relevant partner institution, as a basis for the agreement of joint programmes.

Annexes

Agreement on a Joint Programme

Between **XXX** and **YYY**

In order to develop further international opportunities for students from XXX and YYY, and in order to strengthen the international ties between the two institutions, XXX and YYY have decided to enter into this Agreement for the establishment of a joint programme.

Objectives

Within the framework of this Agreement, “home institution” refers to the institution in which a student is formally enrolled as a degree candidate. “Host institution” refers to the institution that has agreed to receive students from the home institution for a period of study.

This Agreement permits students of XXX and YYY, upon the successful fulfilment of the conditions indicated in this Agreement, the opportunity of receiving by a joint diploma both the academic degree of the home institution and the legal effects of the corresponding academic degree of the host institution.

Candidates for joint programme

Students registered as degree candidate at XXX or YYY shall have access to the joint programme.

Students shall be screened for eligibility for admission as joint programme candidates by the home institution. The home institution shall respect the admission requirements and enrolment constraints of the host institution.

Joint programme candidates shall be nominated by the home institution. This nomination shall re-place the evidence of the general as well as the special university entrance qualifications and the legalization. Details of nomination are pointed out in Appendix A.

Joint programme candidates shall be subject to the standard rules, regulations and enrolling constraints of the host institution. They shall register at the host institution only for the parts of the study programme which will be carried out under the responsibility of the host institution. They shall, in terms of registration procedure, be granted all privileges for candidates of “mobility programmes”. Tuition fees shall, on the basis of reciprocity, be waived during those parts of the study programme which will be carried out at the host institution.

Exams and theses

Exams shall be organized under the responsibility of both institutions. The examination boards shall be composed as follows: ... ¹

Each institution shall nominate the examiners the following way: ... ²

Bachelor's papers, master and diploma theses shall be supervised jointly by both institutions. For that reason, the joint programme candidates shall choose one supervisor upon consent of both institutions, or, if needed, two supervisors, one from each institution. Supervisors shall be members of the examination board for the oral bachelor, master or diploma exam.

Details will be pointed out in Appendix B.

Conditions for obtaining the joint diploma

The joint diploma shall only be awarded after the student has completed his/her studies at the home institution, and has additionally fulfilled the following requirements:

- Award of at least 30/60³ ECTS credits under the responsibility of the host institution; and
- completion of a diploma/master thesis; and
- successful completion of the oral or written diploma/master exams.

The joint diploma shall award both the academic degree of the home institution and the legal effects of the corresponding academic degree of the host institution. It shall be issued commonly by both institutions, in German and ... For Austria, this joint diploma will fulfil the requirements of a notice of award.

For the purpose of international mobility, the joint diploma will be accompanied by a Diploma Supplement according to art. IX.3 of the Lisbon Recognition Convention of 11 April 1997.

Programm coordination

Each institution will nominate a programme coordinator to ensure that the joint programme proceeds according to a reasonable schematic plan, and that the terms of this Agreement are carried out. Each institution may name a substitute or replacement of its coordinator. Each programme coordinator will ensure that the partner institution has available to it all information appropriate to the promotion of the programme.

Duration, amendment, review and termination of Agreement

This Agreement shall be in force from and be binding upon the parties for a period of ...⁴ years. It shall be subject to revision, modification or renewal by mutual written Agreement.

The Agreement may be terminated at the request of either institution, provided such request is made in writing at least twelve months before termination is to become effective. Any termination of the Agreement must take into account the rights of students already participating or accepted for any exchange to complete the parts of the study programme which will be carried out under the responsibility of the host institution.

An evaluation of this Agreement will be initiated by both institutions at least twelve months prior to its expiration to ascertain if the programme should be continued and, if so, how it might be improved.

IN WITNESS THEREOF this Agreement has been signed by the proper officers of each institution.

XXX

YYY

Appendix A: Criteria of nomination ⁵

Appendix B: Criteria according to art. 3

¹Please indicate details here.

²Please indicate details here. - At that point there should be, in favour of the protection of students, laid down in a detailed way which examinations at which institution under which prerequisites and grading scales will be held; likewise there should be agreed upon a regulation for the repetition of failed examinations.

³ 30 ECTS credits in the case that the overall program comprises not more than 120 ECTS credits; otherwise 60 ECTS credits.

⁴Minimum duration of the Agreement = foreseen duration of the study program plus one academic year.

⁵It is recommended to add specimen of documents.

Joint Programmes

Legal basis

Universities Act 2002 – UG, BGBl. I No. 120/2002, as amended

Art. 51 para. 2 subpara. 26:

“Joint/Double diploma programmes” mean degree programmes which are offered jointly on the basis of agreements between one or several Austrian universities and one or several foreign recognized post-secondary educational institutions with these agreements specifying the performance the respective students shall be committed to in the participating institutions.

Art. 54d:

(1) In the case of joint study programmes, the educational institutions concerned shall conclude agreements specifying the execution, in particular on the performance which the students shall be committed to at the educational institutions concerned.

(2) Upon the existence of an agreement according to para 1, the senate shall enact a curriculum in the meaning of § 25 para 1 subpara 10 in due time.

Art. 61 para. 3 subpara. 3:

The general admission period shall be applicable to other foreign nationals and stateless persons seeking admission for studies in Austria for a maximum of two semesters either under transnational EU, state or university mobility programmes including joint/double diploma programmes or on successful completion of studies abroad equivalent to a pass in the first diploma examination in the diploma degree programme selected or a bachelor degree.

Art. 61 para. 5:

The rectorate shall be entitled to make other arrangements for the general admission period for certificate university programmes for further education and degree programmes under transnational EU, state or university mobility programmes including joint/double diploma programmes, having regard to the duration thereof.

Art. 63 para. 5:

The following shall be granted temporary admission upon furnishing proof of possession of a general and a special university entrance qualification, regardless of any enactments under para. 4:

1. persons participating in university mobility programmes including joint/double diploma programmes, for the duration of authorised participation therein;

2. persons wishing only to make use of distance learning course offerings based on co-operation agreements, for a maximum of two semesters;

...

Extension of these limited terms is impermissible.

Art. 87 para. 5:

If a student successfully completes a joint/double diploma programme comprising up to 120 ECTS credits of which at least 30 were obtained under the auspices of a foreign partner institution, or more than 120 ECTS credits of which at least 60 were obtained under the auspices of a foreign partner institution, the award of the degree may be evidenced by a document jointly issued in conjunction with the latter.

Art. 92 para. 1 subpara. 1:

Remission of the tuition fees shall, in particular, be granted to students for semesters during which they will demonstrably be studying or acquiring work experience under transnational EU, national or university mobility programmes.

University of Applied Sciences Act – FHG, BGBl. No. 340/1993, as amended

Art. 3 para. 2 subpara. 10:

University of applied sciences degree programmes may also be run as joint degree programmes or as jointly offered study programmes. Joint study programmes mean study programmes which are offered jointly on the basis of agreements between one or several universities, university colleges of teacher education, providers of university of applied sciences degree programmes, private universities or foreign recognized post-secondary educational institutions in the form of a joint, double or multiple degree programme. Jointly offered study programmes mean study programmes which are offered jointly on the basis of agreements between one or several universities, university colleges of teacher education, providers of university of applied sciences degree programmes or private universities, in that an identical curriculum shall be enacted. If the participating educational institutions decide to discontinue with the joint study programme or a as jointly offered study programme, the participating educational institutions shall make arrangements, so that students of the respective programme have the possibility to complete their studies within a reasonable period, which shall at least comprise the duration of the studies plus two semesters.

Art. 3a:

In the case of joint study programmes, the educational institutions concerned shall conclude agreements specifying the implementation, in particular on the performance which the students shall be committed to at the educational institutions concerned.

Teacher Education Act 2005 – HG, BGBl. I No. 30/2006, as amended

Art. 35 subpara. 4:

“Joint/Double diploma programmes” mean degree programmes which are offered jointly on the basis of agreements between one or several university colleges of teacher education, Austrian universities, maintainers of university of applied sciences degree programmes or private universities and foreign recognized post-secondary educational institutions in the kind of a joint, double or multiple degree program, with these agreements specifying the performance the respective students shall be committed to in the participating institutions.

Art. 65 para. 5:

If a student successfully completes a joint/double diploma programme comprising up to 120 ECTS credits of which at least 30 were obtained under the auspices of a foreign partner institution, or more than 120 ECTS credits of which at least 60 were obtained under the auspices of a foreign partner institution, the award of the degree may be evidenced by a document jointly issued in conjunction with the latter.

Art. 71 para. 1 subpara. 1:

Remission of the tuition fees shall, in particular, be granted to students for semesters during which they will demonstrably be studying or acquiring work experience under transnational EU, national or university mobility programmes.

Decision No. 2317/2003/EC of the European Parliament and of the Council of 5 December 2003, Official Journal No. L 345 of 31th November 2003

Annex, Action 1, subpara. 2:

For the purpose of the programme, Erasmus Mundus masters courses shall:

- involve a minimum of three higher education institutions from three different Member States;
- implement a study programme which involves a period of study in at least two of the three institutions under point (a);
- have built-in mechanisms for the recognition of periods of study undertaken in partner institutions based on, or compatible with, the European credit transfer system;
- result in the awarding of joint, double or multiple degrees, recognised or accredited by the Member States, from the participating institutions;
- reserve a minimum of places for, and host, third-country students who have been granted financial support under the programme;
- establish transparent conditions for admissions which pay due regard, inter alia, to gender issues and equity issues;

- agree to respect the rules applicable to the selection procedure of grantees (students and scholars);
- put in place appropriate arrangements to facilitate access for, and hosting of, third-country students (information facilities, accommodation, etc.);
- without prejudice to the language of instruction, provide for the use of at least two European languages spoken in the Member States where the higher education institutions involved in the Erasmus Mundus masters course are situated and, as appropriate, for language preparation and assistance for students, in particular by means of courses organised by the institutions in question.