



2020 Policy Paper on Public Responsibility, Financing and Governance of Higher Education

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Introduction

This Policy Paper aims at analysing the most important aspects of Public Responsibility, Financing and Governance of Higher Educations while seeking to formulate a students perspective on the state of play within the European Higher Education Area (EHEA). In doing so it touches upon the very foundation of how and in which socio-political environment educational systems and higher education institutions work nowadays.

Education is a core institution of our society and one of the main pillars of modern civilisation. It plays a central role in social and economic development, democratic empowerment and the advancement of the general well-being of societies. ESU believes that open access to all levels of education is the cornerstone of a socially, culturally and democratically inclusive society, and a prerequisite for individual and societal development and well-being. ESU sees higher education as a human right, which is guaranteed in the Universal Declaration of Human Rights and the International Covenant on Economic, Social and Cultural Rights. How education is seen in society, how it is funded and how it is governed are tightly interlinked areas.

Public Responsibility of Higher Education

Fundamental Values

ESU recognises common fundamental values, such as academic freedom, institutional autonomy, participation of students and staff as well as a clear commitment to human rights and democracy as the foundation of the European Higher Education Area (EHEA) and as a prerequisite for an educational system that aims at contributing to the forthcoming of our society as a whole. Even though the EHEA member states keep reaffirming their devotion to honour these values¹, the

reality in Europe looks different. In times of emerging antidemocratic forces gaining more and more power all over the continent, the need for an independent monitoring mechanism to oversee member states' compliance with the indicated values is evident. These values are crucial to protect and ensure that students' rights such as access to quality public education, freedom of worship, and personal safety.

ESU firmly believes that there is a need to develop a monitoring framework on values in the EHEA, taking into account both *de jure* and *de facto* realities linked to protecting and promoting fundamental values. Such an observatory should be composed of experts from independent civil society organisations with a credible record linked to monitoring academic freedom and human rights.² Member states continuously undermining the fundamental values of the Bologna Process need to be confronted with consequences for their actions.

Institutional Autonomy and Academic Freedom

ESU firmly believes that the core public responsibility of higher education institutions is to pursue verity and to produce and transmit knowledge, both for the long-term improvement of society and to promote the self-creation of individual students in realizing their full potential as human beings. This cannot be fulfilled in the absence

¹ Paris Communiqué
http://www.ehea.info/Upload/document/ministerial_declarations/EHEAParis2018_Communique_final_952771.pdf

² BM77 Statement on the Future of Bologna <https://www.esu-online.org/?policy=future-of-bologna>

of institutional autonomy. On the other hand, HEIs can never be totally autonomous, whether publically funded by the state (government and public authorities) or otherwise, as public authorities set policy expectations or performance indicators in order to ensure education systems and structures are accountable and meeting the needs of their communities. Within the broader policies set by public authorities, it is important that institutions develop their own policies and strategies following democratic principles.

A balance between accountability and autonomy should ensure the respectable degree of independence from external interference required by HE and research institutions. The latter should have the capacity to steer themselves in respect of their internal organisation and governance, the internal distribution of financial resources, and the design and implementation of learning, teaching, and research.

It is crucial to recognise that rigid control of higher education institutions by the state goes against the principles of democratisation and may reduce transparency, effective management and the overall performance of HEIs. It can furthermore significantly deter institutions from upholding their core public responsibilities.³

Continuous trust-based dialogue between state and non-state HEI stakeholders must be established in order to safeguard the institutional autonomy of higher education and research institutions in order to protect academic freedom. Democratically elected representatives from all key stakeholder groups including students, teachers, researchers and administrative personnel must engage and advocate directly towards the competent state authorities to ensure a thorough and comprehensive understanding of what the various dimensions of institutional autonomy mean in the clear and consistent regulatory framework, both in higher education strategies and in practice.

Above all dimensions, legal frameworks and policy strategies concerning higher education must protect and not infringe the rights of scholars and students that uphold academic freedom, including the rights to freedom of expression, opinion, thought, information and assembly. Furthermore, the autonomy of funding decisions by research councils and funding bodies must be respected, while ensuring diversity

³ Matei, Liviu & Iwinska, Julia. (2014). University Autonomy-A Practical Handbook.

in research. Funding can be prioritised, however, no discipline can be excluded as a whole for political reasons. Although external entities (such as the state, business sector or civil society organisations) have the right to set a vision and articulate their expectations of what a HE system should deliver, they should refrain from interference in internal affairs of institutions, particularly on the design and implementation of learning, teaching and research methods. Such interference can lead to the stagnation of innovation, the commodification of education and undermining of academic freedom.⁴

Academic freedom to undertake scholarly activities must be framed by scientific and professional standards, respect for the rights of others, ethical conduct and the awareness of the impact of research on humans and their environment.

Academic freedom and institutional autonomy are not only ending in themselves but are also promoting an academic culture of debate and investigation. The freedom of students and scholars to think critically, to challenge established dogmas through the use of standardised and innovative methodologies, collection and publication of relevant data, is a prerequisite for open academic cultures.

The autonomy of HEIs and academic freedom cannot be defended by members of the HE community alone, but also requires public support. This is a global challenge for today's globalised societies and economies, and can only be solved by recognising that an open and dynamic academic culture for all who wish to participate in it can favour the development of sustainable, inclusive and equitable societies. It is an inherent public responsibility of all HE stakeholders to foster and communicate their expectations and capacity in protecting institutional autonomy and academic freedom. The lack thereof sees the increasing susceptibility of scholars, students, staff and their institutions to attacks by a range of state and non-state actors. This includes attacks from government authorities, police, military forces and armed extremist groups. Such attacks harm both targeted individuals and institutions. They undermine entire higher education systems by impairing the quality of teaching, research, and discourse on campus. They shrink everyone's space to

⁴ "World Bank. 2009. *World Development Report 2009 : Reshaping Economic Geography*. World Bank. © World Bank. <https://openknowledge.worldbank.org/handle/10986/5991> License: CC BY 3.0 IGO."



think, question and share ideas freely and safely, with further risk of diminishing sustainable social, political, cultural and economic development.

Academic Integrity

The European Students' Union strongly believes that a lack of academic integrity is a threat to quality education and endangers academia as a whole. Combating academic fraud needs to be a mission carried out by students, teachers, researchers, administrative personnel and policymakers together. Academic integrity implies fraud-free education and thus ensures trust in education in general.

The academic community as a whole shares a responsibility to confront corruption, plagiarism, contract cheating, nepotism, abuse of power and any other form of fraud. In case of abuse of power by academic staff members, higher education institutions need to take immediate and decisive action. Based on democratic principles, ESU strongly believes that there can be no academic integrity without students' participation. In practise, this means that students need to be involved in the creation of any institutional framework that deals with academic misconduct as well as in all relevant processes linked to monitoring academic integrity, setting up guidelines, investigating instances and co deciding on the respective disciplinary measures, no matter if the suspect is a fellow student, teacher or member of academic staff.

If Academic integrity is endangered or infringed by a non-academic institution (i.e. private-owned businesses who offer professional help in writing students' theses etc.), then the HEI in collaboration with the state should take further legal steps to assure the sustainability of academic integrity.

Taking into account the persisting power relations between teachers and students we advocate for zero-tolerance policies towards lecturers and professors that abuse their power. Especially when it comes to cases of sexual harassment or bullying. Higher education institutions need to stand in solidarity with the witnesses and deliver transparent and timely investigation into the matter, leading to concrete outcomes and measures.

The European Students Union and its members have an obligation to promote a climate that encourages integrity and values academic honesty within the student's

body. HEIs need to foster academic integrity through effective prevention measures such as diverse teaching methods, student-centred learning, appropriate forms of assessment and clear sanctions for unfair behaviour. These are the main tools to disincentivise academic misconduct. Further measures of prevention can be introduced by providing a clear definition of learning outcomes, pedagogic and didactic competence-based teaching and learning as well as multiple types of examinations that cater to the students' needs.

ESU believes that it is crucial to provide students with clear and easily accessible information on issues linked to academic integrity. The provision of high-quality information material and education on academic conduct as an integral part of every programme is fundamental in order to meet the highest standards of academic integrity. This requires targeted investments in specialised training programmes for teachers and staff. In many countries, students still have little to no means to rate the performance of teachers and academic staff. ESU, therefore, sees a necessity to create and implement anonymous evaluation systems that hold teachers accountable while allowing student feedback both to the teacher and the respective programme coordinator. This evaluation system should be part of a more general internal quality assurance system guaranteeing maximal participation of students. These evaluations need to be linked to consequences for lecturers that do not fulfil the minimum requirements of quality teaching.

Higher education institutions should collect comparable data on academic misconduct to measure progress and regress in order to develop effective policies (taking into account the General Data Protection Regulation). The collected data should be reported to national educational authorities in order to create a structural overview that allows the identification of best practices and enables peer learning between institutions. Educational authorities should furthermore encourage quality assurance agencies to intensify their focus on academic integrity in countries where this is not practiced yet.

Intellectual Property

By intellectual property, ESU considers all those intangible creations of the mind that can be protected by legislation under patent, copyright and/or trademark laws. These creations must be perceived as real property: its owners have the full right to exercise all the benefits derived from it.

In their work, higher education institutions must foster a culture that enables students, researchers and teachers to produce original creations, inventions, and discoveries as part of their activities, both within and outside of classes. A learning environment that allows the dissemination of knowledge provides students with the opportunity to be productive and accordingly create intellectual property. At the same time, their ownership of intellectual property should be fully protected and respected.

From the very beginning of their enrollment in higher education, students should be taught about how to develop and protect intellectual property. Thus, ESU encourages all HEIs to, together with students' representatives, produce guidelines on intellectual property for their respective institutions. These guidelines should be communicated to each student, to ensure universal awareness. Having intellectual property policies should be obligatory for all HEIs and easily accessible to students. These documents must embrace the importance of students' ownership of intellectual property and value the students' achievements and creations of the mind as their own, where it is in accordance with intellectual property legislation. These policies should always require a consensual agreement on intellectual property ownership by a student before they embark on the research. Nevertheless, HEIs' intellectual property policies should always be defined in a manner that ensures that their dominant position towards students is not misused.

ESU recognizes the necessity of HEIs having agreements with students on sharing intellectual property ownership in cases where students have substantially used institutions' facilities in order to create intellectual property. However, clauses in study contracts that force students to unconditionally transfer their intellectual property ownership to HEIs or other organisations such as corporations should be abolished as this downgrades the role of students in intellectual property.



ESU wants to emphasize that any breach of student ownership of intellectual property is an example of unethical behaviour. This means that it also represents academic misconduct and thus should be prosecuted by bodies that deal with breaches of academic integrity.

Education for Sustainable Development (ESD)

Sustainable development and active citizenship are crucial parts of the public responsibility of higher education and key in empowering students to shape a sustainable future. Education institutions should mainstream sustainability in local and global contexts in their teaching, research and all their operations in order to fulfil their obligation towards creating more sustainable societies. Education institutions should approach sustainability in a holistic way taking decisive action on all levels as described in more detail in annex 2.⁵ Education for sustainable development is a central aspect of education quality as graduates must become equipped to do their part to deal with the climate and ecological crisis as well as build their civic competences to shape democratic, inclusive and socially sustainable societies. Delivering quality ESD requires far-reaching changes in study programmes and overarching learning and teaching strategies of HEI's. This is something which student-centred learning and stronger democratic involvement of students and staff in the operations of the educational institutions should help to address.

Additionally, special attention within ESD has to be applied to entrepreneurship as a way of coping with the needs of society towards building a sustainable future. It holds the potential of interlinking academic research and knowledge with innovative applications, services, or goods to the benefit of society. Students can play a major role in this transition from academia to the labor market, practicing their academic freedom to gain independence, economic, environmental, and societal benefit.

Human Rights and Democratic Citizenship Education

Apart from promoting democratic governance and active participation in all educational institutions, it is good practice to mainstream human rights and

⁵ BM77 - Statement on Sustainability -
<https://www.esu-online.org/wp-content/uploads/2020/01/Statement-on-Sustainability.pdf>



democratic citizenship education into all curricula and teaching practices. Education on democratic rights and responsibilities can broaden students' understanding of the spectrum of human rights and fundamental freedoms in relation to the civic, political, social, economic, legal and cultural spheres of society⁶.

Such education should be student-centred and tailored to the learning outcomes of the respective programs in order to equip learners with the knowledge, understanding and skills needed to take action in the defence and promotion of human rights, democracy and the rule of law. This serves as a strong bulwark against violence, racism, extremism, xenophobia, discrimination and intolerance while instead promoting social cohesion, intercultural dialogue as well as the values of diversity and equality. Developing such knowledge and skills is essential in building respect for human dignity and promoting peaceful resolution of problems and disputes.

Digitalization, Artificial Intelligence, Learning Analytics and Privacy

There is still no universally agreed-upon definition of artificial intelligence (AI). The majority of people refer to AI as advanced autonomous technology with capabilities to independently learn new skills and interpret knowledge in different shapes and forms based on data-driven algorithms.

Learning analytics is defined as the measurement, collection, analysis and reporting of data about learners and their contexts, for purposes of understanding and optimizing learning and the environments in which it occurs.

Ongoing discussions on how to implement AI-based tools in learning analytics to improve the student academic experience and success rate and to optimize a personal based study program must be oriented to protect the interests and rights of students. Students' personal data must not be misappropriated for marketing, research or any other activity, unless clear consent has been given by the student.

Modular opt-in and opt-out possibilities for the use of personal data for such purposes must always be available without consequence to students.

⁶ Council of Europe. Charter on Education for Democratic Citizenship and Human Rights Education based on Recommendation CM/Rec(2010)7 adopted by the Committee of Ministers of the Council of Europe in May 2010

Specific attention must be paid to protecting students' personal data in the scope of online exams, e.g. when using proctoring software. Safeguards need to be put in place to prevent the mishandling of these recordings. Students must also be offered alternatives to proctored online exams and should not be coerced to jeopardize their privacy in order to study successfully.

The positive effects of using digitalization and AI can be found in making administration and library services more efficient as well as in improving the learning experience for students with disabilities. For example, AI can be used to automatically create captions of video for the hard of hearing or describe the content of photos for the visually impaired.

AI can also be used to personalise students' learning experience, for example by automatically providing supplementary feedback on a students' performance in a course, or supplementary guidance about their study plan.

Digitalization, AI and learning analytics should not be a mechanism for observing students' success and progress but should rather only be used as an assistive tool for teachers and administration to improve the quality of education provided. Although software applications can reduce bureaucracy and human error technical mistakes, such as course registration methods, they are still created by humans and thus hold biased "opinions" affected by the moral coding of the developer and by the aims of its owners or financiers. This emphasizes the clear need to cautiously "trust" algorithms in replacing human-made decisions especially when referring to relational and social contexts inherently subjected to biased interpretation.⁷

To ensure a good implementation of relevant software tools and avoid the pitfalls that may come with it, full transparency in the implementation and strong involvement of students and staff is key. ESU and its members should follow and take part in discussions pertaining to the ways software technologies are implemented within higher education systems and push for clear technology ethics.

Ethical software development is also of high importance for HEIs as they not only implement algorithms, but also develop them.

Commodification

⁷ <https://ec.europa.eu/digital-single-market/en/news/ethics-guidelines-trustworthy-ai>

Commodification describes the process of quantifying education in order to attach an economic value upon it. It is changing the perception of higher education from a public good and public responsibility to a private and limited commodity. In this context, higher education is perceived as a knowledge industry, higher education institutions as service providers and students as consumers of education and human capital for the labour market. When education is defined as a factor for production, discussions of investment in education are based on an understanding of human capital development. Such a view fails to encompass the complexity of the subject.

ESU encourages active criticism of language that implies that education is a good to be traded. How language is used to describe education highly influences the way it is viewed. It is the duty of the academic community to fight against terminologies that

reduce people to numbers or customers and to remind policymakers of the multiple purposes of education which benefits society in so many more ways than economic outcomes. ESU's Statement on Countering Commodification in Higher Education ⁸ is annexed to this policy paper and serves as a reference for a more detailed overview of policy linked to the issue. ESU advocates for tuition fee-free education that is not solely considered as a tool to foster the employability of graduates. HEIs and policymakers should strive for accessible and inclusive publicly-funded education systems.

Partnerships between HEIs and industry

ESU encourages HEI-Industry cooperation that widens opportunities for students, and provides insights and experience, such as quality internships. Internships are first and foremost about learning. As outlined in the Statement on quality and fair internships, annexed to this policy paper, ESU considers internships as an educational pathway that fosters work-based learning in order to prepare graduates not only for the labour market requirements but also wider purposes of education. For that reason, every internship must include proper guidance by the provider of the internship. Governments, Higher Education Institutions and internship providers should collectively ensure that all students are paid whilst on internship. Additionally,

⁸ Statement on Commodification
https://www.esu-online.org/wp-content/uploads/2019/05/BM76-Statement_Commodification_HE.pdf



every internship must include social security and a legal contract according to labour standards by the provider of the internship. The practice of using internships to replace existing paid jobs or to minimize employment costs is unethical and needs to be abolished.

Industry partnerships should always be voluntary, transparent and acting in students' greatest interests rather than for the profit of businesses. The purpose of education is not to serve economic interests, but to enable students to be active members of society and continuously gain skills and competencies through life-long learning. Therefore, the content of research and teaching at HEIs must not be controlled by the industry.

The relations and framework of Academia-Industry partnerships are a constant ongoing debate among stakeholders when the difference of points of interest can

become a conflict of interest. In a rapidly developing technological era it seems the academia does not have funds and ability to catch up with these changes and due to insufficient public funding they often rely on external partnerships to provide them access to the resources to prevent a gap between the knowledge within academia and the needs of the outside world. This gap is growing and creating a difference between "wealthy" (often private) institutions and institutions that don't have access to sufficient investments. This should be a wakeup call for the European Council of Higher Education and the EHEA members to establish clear guidelines & a roadmap for the relations between Academia and Industry in the public sector as well.

The benefits for academic institutions from industry partnerships should focus on access to advanced technologies, real-life joint projects enabling students to gain professional experience through internships or joint project-based courses and even in joint research. This should be guided by clear intellectual property distribution between the academic institutions, the industry and the students.

If the industry provides students with partial or full scholarships to conduct research in partnerships between their HEI and the industry contractor, that scholarship should be guaranteed at least for the expected duration of the study program, and it should not be based on the periodical expected outcomes by the industry. This will help in creating a positive learning environment for the students, without the fear of

their external scholarship being revoked amidst their studies due to unexpected or possibly unwanted results; potentially leading to them discontinuing their studies. Additionally, students should not be offered industry scholarships that impose reimbursements of the financial support in either money or an excessive term of work, as this could limit their prospects or force them to accept financial aid to continue their education.

On the other side, the roadmap for industry partnerships should emphasize that institutions are not to be influenced by corporate interests rather creating mutual interests that benefit first the academic needs and after that the industry interests. In order to guarantee the independence of researchers, public investment is needed.

Internships

Higher education is an essential platform for progress with regard to occupational and economic mobility. In today's competitive employment market, it is well known that young people who are inexperienced in employment go through difficulties finding a position that is compatible with their education. The struggle intensifies for students coming from the social or geographical periphery. It is shown that there is a significant positive relationship between education, employment, and income. Education plays a crucial role in reducing employment inequality, determining employment rates, quality of employment and individual level of salary.

However, even after investing considerable effort and resources into obtaining an academic degree, many young people find it difficult to cross the bridge from the world of education to the world of employment, specifically when seeking employment in the very field related to the respective individual academic background. As outlined in the Statement on quality and fair internships⁹, annexed to this policy paper, ESU considers internships as an educational pathway that fosters work-based learning in order to prepare graduates for the labour market requirements. The practice of using internships to replace existing paid jobs or to minimize employment costs is unethical and needs to be abolished.

⁹Statement-on-Quality-and-Fair-Internships:https://www.esu-online.org/wp-content/uploads/2019/01/BM75_Statement-on-Quality-and-Fair-Internships.pdf



Internationalisation and international trade

International collaboration on education is important as it can contribute to addressing global threats to democracy as well as promote intercultural cooperation, global citizenship and anti-discrimination. However, internationalisation of education must not lead to treating education as a commodity to be traded. By treating education like a tradable commodity, including education in trade agreements is a threat to the intrinsic values of education as a public good. If education is not exempt from the trade agreements, it can undermine the efforts of states to provide free and accessible high-quality education for all.

ESU calls for a carve-out of public and private education from European proposals for trade and services agreements and their negotiations, and calls for its explicit exclusion from the EU, EEA and EFTA trade agreements. ESU strongly believes that the responsibility to make full reservation on education in trade policies and agreements lies both with the EU and national governments.

Financing of Higher Education

Education is a public good, a public responsibility, and should be publicly funded. Higher education is a general interest of all people, as it contributes to the common good, however, it is still too often portrayed as an expense. Higher education is a value that should not become subject to economic speculation or prey to the ideologies of privatisation and the shrinking of the state. ESU, therefore, calls for all

stakeholders to commit to this as a leading principle to be taken into consideration in all their decisions.

The quality, accessibility, equality and form of higher education is highly dependent on financing. Higher education can never be considered solely as a means for improving economic competitiveness. Education has other aims and consequences, among them, forming the basis for tolerance, democracy, critical thinking and personal fulfilment. These objectives must be taken into account when allocating funds to higher education. In this respect, funds allocated to the higher education sector should not merely be considered as an expense, but a provision of public good and public responsibility. Higher education institutions produce not only new research and highly skilled graduates but also have the responsibility to communicate their knowledge to the surrounding world and collaborate with businesses, public institutions, and other organisations and movements in their surrounding community. It is important that education institutions are financed sufficiently to fulfil their multiple missions and that this funding is given in a way that ensures the independence of the institution so they can focus on performing their activities with integrity and high quality.

The funding gap

In the past decades, numbers of students have increased significantly, while the amount of public funding for higher education has not. As a matter of fact, in the last years, public funding has been cut in nearly half of European countries, resulting in a gap in financial resources. This makes education a more elitist project rather than an accessible service. Apart from that, we have seen developments that have

dramatically influenced the level of required financial support, such as the internationalisation of higher education and research, the desire for quality and new teaching methods, and the increasing different economic interests in higher education. Not addressing these developments can have tremendously negative long-term effects. Therefore, governments must prioritise higher education and increase public investment to ensure accessible and high-quality higher education.

It is of vital importance that public funding guarantees stability and sustainability in the development of higher education. The public funding allocation must ensure that

the development of education and research is based on wider goals and not on short-sighted financial benefits. Resources to support reforms that open institutions to mobile students must be provided. This includes the services and facilities necessary to enable mobile students to study successfully. The resources should be provided to ensure that every student has the possibility to be mobile.

Necessary financial and legislative frameworks to foster cooperation between higher education institutions must also be provided. This should focus particularly on accessibility to the benefits that emerge from international cooperation (e.g. access to joint degrees, affordable international mobility, etc.). Sufficient funds should be ensured in order to foster lifelong learning. Governments should legislate the prohibition of tuition fees and at the same time guarantee free access to higher education.

Publicly and partially publicly funded research, research data and teaching materials should be available to everyone. Researchers should be adequately enumerated for their research, and the intellectual property of research should remain with the author. The creator should publish both data and paper under public copyright licences to improve open education in general. HEIs and local communities should discover possibilities to cooperate more on research projects that would work for the development of communities.

The use of higher education institutions' property should be free for students and other internal organisations. This refers to institutions providing physical space for

the work of students' organizations but also the students' access to libraries, online journal databases and similar tools.

Optimisation of funding of higher education institutions

There is no real academic freedom, nor high-quality tertiary education without public funding that fully covers the expenditure, which institutions need to be provided with in order to work properly in an independent, free and autonomous way.

External funding has a risk of being used as an excuse for cutting public investment, thus reducing the budget available for teaching and student support and raising

higher education institutions' dependency on non-public financing. Therefore, external funding can be accepted only under the condition that it is solely a supplement to public funding. External funding also comes with the risk of threatening the academic autonomy as the entity providing the funding may seek to influence the priorities and activities of the education institution. States should establish legal frameworks for regulating such income sources. Economic interests must not play a role when it comes to external funding of higher education. Care should also be taken that external donors pay for the real costs of the research they support and do not use partially funded research projects as a way of indirectly steering public research money towards narrow commercial interests.

ESU stresses the importance of observing the following principles for funding:

- a.) Research purely for the sake of knowledge is of public interest and should not be jeopardised;
- b.) The mission and objectives of higher education institutions should not be compromised by the short term interests of the corporate world;
- c.) The development of all fields of study should be safeguarded. Particular attention should be devoted to less commercially attractive fields of study and financially demanding research areas;

e.) The distribution of alternative finances should be carried out in a transparent manner by democratic bodies, either on an institutional or governmental level or by a publicly mandated independent body, involving main stakeholders of higher education.

f.) Measures of financing should not motivate higher education institutions to prevent students from choosing their desired study paths and final qualifications.

g.) Teaching and research go hand in hand and should therefore be equal in importance and complement one another.

h.) An adequate amount of money should always be available for improving the quality of programmes and developing new approaches to teaching and learning;

i.) The use of external funding calls for greater transparency in budgets and in the general decision-making process of higher education institutions and ethics committees should pay special attention to externally funded projects to avoid improper external influence on research.;

j.) Alternative sources of financing must not be used as an excuse to reduce public funding;

k.) Tuition fees and student debt are not to be considered as an option for HE funding.

l.) Digitalisation of education should not be used as a reason to cut funding of higher education, especially the funding allocated to teaching and learning environments. Instead, it should be used for the improvement of teaching and learning experiences. The higher education institutions should be provided with additional funding in order to provide successful implementation of digitalisation, including needed training on digital tools, skills and learning environments for the students and teaching staff.

m.) Funding of educational institutions should not be dependent on external factors such as graduate employment rates. This has a risk of incentivising education institutions to optimise other factors than what students and staff consider

high-quality education. It also has a risk of creating negative spirals by defunding education in areas with difficult labour market conditions which makes it harder to provide high-quality education in geographical areas or academic fields experiencing economic fluctuations.

Performance-based funding

Funding allocated according to the performance of education institutions (such as the number of graduates or ECTS points granted) is used as a steering tool and should be approached with great care, never without a thorough analysis and monitoring of the potential negative incentives it gives to the decision makers in the

HEIs. For example, funding based on the amount of ECTS points obtained can give higher education institutions an incentive to rush students through their education at the cost of quality. ESU strongly advises that such output factors, if used at all, should not only be based on quantity, but should also take into account other integral aspects of academic and student life, diversity in the student population and regional differences. When the performance-based funding model is used, it should be ensured that the fiscal stability of higher education institutions' funding is not compromised. Additionally, the core funding of different disciplines or academic fields must be safeguarded.

Education free of tuition fees

Higher education is heavily affected by economic policies¹⁰. In times of limited financial resources, countries are implementing several measures to ensure the financial sustainability of their higher education systems. The most widely represented measure is the implementation of tuition fees, which equal the financial obligation of students to pay for being enrolled in higher education while higher education institutions profit from this additional source of income. In this context it is obvious that tuition fees are a significant financial burden for students, especially bearing in mind the heterogeneous socio-economic background of students. Consequently, this means that tuition fees are highly socially selective and one of the

¹⁰ EUA Public Funding Observatory Report 2019/2020
https://eua.eu/downloads/publications/eua%20pfo%202019%20report_final.pdf

most severe barriers to overcome when accessing and taking part in higher education.¹¹

In attempting to bridge the funding gap, governments tend to turn to students as a resource in order to quickly cover the funding gap in higher education. In this way, introducing or raising tuition fees becomes an easy solution to a complex problem, where the money available within the higher education sector remains insufficient in ensuring an adequate level of quality.

ESU is continuously advocating for accessible and sustainably funded higher education and thus sees the use of tuition fees as an unsustainable and unfair method for funding education systems. Making students pay for their education in order to fill the national funding gap in higher education is unacceptable and undermines the right to education for all. In cases where tuition fees currently exist there must be “social-economical tuition scholarships” enabling access to all levels of the society into higher education and supplying the support and needs of all students.

Additionally, the imposition of high fees on international students (or on those from non-EU/EEA countries) is unethical, discriminatory, unacceptable and short-sighted. Fees for the international students are an obstacle to internationalisation and integration, and especially create barriers for free-movers, migrants and refugees. ESU believes such measures contradict the idea of mobility and the spirit of the Bologna Process.

It is expected from the national authorities to tackle the issue of unequal tuition fee treatment of international students very seriously and thoroughly. They are expected to create a legislative and administrative framework that will bridge the gap in tuition fee levels between these two groups of students. ESU and its membership will lobby towards all relevant stakeholders to start discouraging the practice of unequal treatment of international students.

¹¹ Functional Overview Tuition Fees

https://www.esu-online.org/wp-content/uploads/2020/03/Functional_Overview_Tuition-Fees_Golovic_Berger.pdf

Governance of Higher Education

Student Participation

Students make undoubtedly the largest group within the academic community. They not only hold the right to be part of decision-making processes that determine their educational and social life, but they also add valuable first-hand experience in evaluating and improving academic processes. It is therefore that students need to be involved at all stages of the decision-making process. ESU advocates for a higher education governance system that fosters meaningful students' participation at all levels and that ensures a balance of student representation in a way that reflects the diversity of the student body. Participation of students is only considered meaningful when it creates an impact on the actual outcomes of decision-making processes. Unfortunately, in too many cases the involvement of students in institutional governance arenas remains superficial and based on tokenistic considerations, where students only participate as an observer or with limited voting rights.¹²

ESU is advocating for the concept of modern collegiality. The basic tenet of this model is the development of the old idea of collegiality to suit the needs of the 21st century HIEs. Academic collegiality in the 21st century involves recognising that students and academic staff are united in a common purpose and should partake equally in the management of higher education institutions¹³. The basic doctrine of modern collegiality can be described as a partnership, built on a common understanding among the participants of shared responsibility. Modern collegiality requires that elected students are well-read, active participants in the governance and that they maintain a dialogue with the rest of the student body via the student unions. In this way, elected student representatives can use their information flow to benefit higher education institutions. Similarly, elected academic staff are expected to maintain a dialogue with their representative base, and share necessary information and work constructively with the other elected representatives – be they

¹² Bologna with Students Eyes 2018

https://www.esu-online.org/wp-content/uploads/2019/02/BWSE-2018_web_Pages.pdf

¹³ Klemencic 2015 Student Participation in European Governance

https://www.researchgate.net/publication/313414359_Student_Participation_in_European_Governance

students or academic staff. All decision-making bodies responsible for policy-making and resource allocation affecting education and research at higher education institutions should be collegial in their composition. This also includes all informal decision-making bodies. It is especially vital that students are not shut out of the decision-making process on any level. HEIs should be organisationally inclusive for students and academic staff which do not speak the main language(s), in order to participate in the collegial decision-making.

In order to foster a quality culture when it comes to student participation, it is necessary to recognise student union work as an extracurricular activity and reward it with ECTS points. HEIs should facilitate solutions that allow full-time student representatives to pause their studies while encompassing their potentially slower study progress by providing goodwill solutions for (tuition-free) tolerance semester where applicable.

Governments and HEIs need to make sure that student unions are able to work politically and financially independent. This is a prerequisite for having a student union that effectively represents the interests of its membership. In its work, student unions must maintain autonomy and independence in order to successfully fulfil their societal role. Political and financial sovereignty are crucial in this regard. Political independence refers to emphasizing the importance of having students' organizations that are led and run solely by students, that the power of decision-making in it is vested exclusively in the student body and that there is no third-party interference in the work of the organization such as authorities, political parties or religious organisations. Financial independence of the student organization is mandatory to provide a self-governing framework that results in achievement of the set goals.

Working Conditions of Academic Staff

Over the years, while a considerable number of European countries have decreased or frozen their investment in higher education¹⁴, the demand to modernize, expand

¹⁴ Bologna with students eyes:

https://www.esu-online.org/wp-content/uploads/2019/02/BWSE-2018_web_Pages.pdf



and increase the performance of higher education and research institutions according to national and regional (Bologna process) targets has only increased.

ESU is concerned about the fact that academic staff is increasingly hired on short-term contracts and working much more than full time because they have to constantly fundraise for their own job through grants. This takes valuable time away from focusing on high-quality research as well as threatens academic freedom because the power to decide what gets researched increasingly goes to private actors, threatening the independence of the researchers to focus on the public good. Furthermore, the lack of job security and the over-burdening of staff threatens their mental health and contributes to employment inequality as those who are unable to work extra hours due to e.g. caring responsibilities or health fall behind in the highly competitive “publish or perish” working environment. This is not only unhealthy and unfair, but it also harms the quality of research and education. Time spent on teaching and on contributing to the democratic structures of higher education institutions must be valued and made space for in contracts.

All researchers should be expected to contribute to ensuring that students are provided with high-quality research-based education. Good working conditions for the staff of HEI's are a prerequisite for high-quality education, research and democratic structures. Therefore we as student representatives stand in solidarity with teachers, researchers and other staff when their working conditions are under pressure.

Ethics Committees and Ombudspersons

A good practice for ensuring that higher education institutions live up to high ethical standards and mainstream public responsibility and sustainability into their practices is to have ethics committees and ethics guidelines in place. Ethics committees should not only be in place to monitor academic integrity and approve the direct health effects of research but should also monitor any indirect effects of the research on the environment and climate. Application forms for research projects should have mandatory sections for the researchers to reflect on not only safety but also the impact of the research on sustainable development.



To ensure that students are treated fairly in higher education institutions, transparent routes for complaints of any unfair treatment are crucial. This could be needed for everything from unfair assessments of exams to sexual misconduct or the need to be an anonymous whistleblower of unethical practices. Ombudspersons must be freely accessible to all students and should act as neutral arbiters in resolving issues. They must ensure students are aware of and have access to information about the complaints submission process, campus policies and rules against sexual assault, harassment, bullying and discrimination. By monitoring trends of complaints, ombudspersons can identify systemic issues and recommend policy changes to alleviate them. The role of ombudspersons is crucial to defending students' rights and in maintaining high standards of fairness and safety on campuses.¹⁵

Leadership and intersectionality

ESU demands that higher education institutions take responsibility in their governance for the inequality they may foster. Neither of the existing governance models are suited to deal with the extreme amount of inequality that exists today in society as a whole and that is reflected within higher education institutions and continuously reproduces existing mechanisms. Higher education institutions are not separate from the rest of society and therefore are prone to reflect and perpetuate the same discriminations, whether voluntarily or not. New public management entirely invalidates the purpose of equality and intersectionality unless these serve an economic purpose. On the other hand, conservative governance structures encourage homogeneous structures under the pretense of meritocracy. Power structures go beyond those that exist on paper, and a modern collegial approach should address this. In order to avoid parallel and undemocratic structures, an inclusive approach to leadership is necessary in academic environments. A modern collegial institution must be fundamentally intersectional and self-critical. This includes ensuring diversity, addressing discrimination mechanisms and identifying the barriers preventing equal participation of individuals from all backgrounds such as gender stereotypes and glass ceilings. Higher education institutions should

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<https://www.griffith.edu.au/students/student-complaints/office-of-student-ombudsman>
https://newscenter.sdsu.edu/student_affairs/ombudsman/role.aspx

recognise their position of privilege in society and actively work to improve society within and outside its walls.

Leadership and training

Higher education institutions need to recognise and foster the role of academic leaders. The relationship between the leadership and the rest of the collegiate must be one of trust and professionalism. The leadership should be able to create and implement strategic priorities, as well as handle conflicts that arise within the collegiate. Handling such conflicts can often be difficult for an academic leader who is elected from among that very collegiate. Taking on academic leadership roles should never be considered a demotion in an academic career. Those who have an interest in academic leadership should be supported to focus on the development of the necessary skills. An open, transparent, inclusive and accessible recruitment process for academic leaders should be ensured, meaning that everyone with the

necessary qualifications within the relevant subject should have an equal chance to apply for leadership positions, even if they are not currently working at the respective institution.

Annexes

- [Statement on Commodification](#)
- [Statement on Sustainability](#)
- [Statement on quality and fair Internships](#)