

## ESU feedback on the Council Recommendation on the key enabling factors for successful digital education and training

The European Students' Union (ESU) is supporting the proposed Council Recommendation on the key enabling factors for successful digital education and training, welcoming the initiative as a timely and needed coordination of national policies in digital education through evidenced-based recommendations. Analysing the proposal, we appreciated the integration of several points mentioned by students in the [ESU contribution to the public consultation](#), as well as in other consultations convened by the Commission and in our analysis.

Despite this, we consider that the Council Recommendation doesn't highlight or sheds insufficient light upon some crucial issues that are of essence for the successful deployment of enabling factors for digital education, that will be mentioned below.

- Firstly, and foremostly, the Council Recommendation fails to address the primacy of student agency in order to deploy successful, widely used, and effective digital tools. While for a good reason the importance of staff training, staff consultation and autonomy are promoted and repeated throughout the document, the whole narrative of the added value of digital tools lays on the benefits of inclusivity, availability and option for students (or, in a more general sense, learners). By being able to choose tailored tools that are adapted to student needs, digital tools are in a position to enhance the student satisfaction, the quality of teaching and learning and eventually learning outcomes. However, in several instances the reference to 'student/learner-centred' digital tools is missing, despite the widely established consensus, within both the Bologna Process and the European Education Area, of using the

paradigm of student/learner-centred education to gear the education and training systems towards achieving its goals.

- As a corollary of the previous point, the lack of mention of student-centred digital tools translates in a sharp absence of student/learner consultation in the deployment of digital tools, as well as institutional/national digital strategies and policies. While students and their representatives could be counted within the larger 'stakeholders' constituency, the proposal for the Council Recommendation provides several examples where specific groups of stakeholders (e.g., private sector EdTech providers, employers, teachers) are specifically mentioned. Despite the fact that student unions play an especially important and irreplaceable role in the effective, inclusive, and high-quality deployment of digital tools, this is also a part of a wider remark of not sufficiently mentioning civil society as a key stakeholder in the enabling factors. Even more, in one case the proposal mentions that categories without formal representation bodies should be involved, giving the example of parents and learners, contrary to the reality that in most EU states formal representation of learners exists for both school and higher education level. While learners at large and specific categories of learners should be involved as well, for the sake of the legitimacy and efficiency of policies in relationship with student needs, as the direct beneficiaries, formal learner representative bodies, at various levels of representation (school/institutional, national) should be specifically mentioned as stakeholders to be involved.
- In terms of the relationship between education institutions and EdTech, while several positive measures have been suggested, we still believe that a bolder statement regarding the need to ensure an equal footing of education providers in relation to EdTech should be included. While national procurement undeniably produces economies of scale, we believe national and European coordination should be ensured from the perspective of the capacity of education institutions to influence the design and features of digital tools. In ESU's perspective, missing this element would create an uneven power balance which would delineate the capacity of learners and teachers to flexibly adapt the digital tools to their needs.
- While we welcome that interoperability is referenced several times, ESU's suggestion is that it appears as an overarching objective as such and determines agreed-upon rules and principles at European level, that would

easily resemble an enabling factor for cross-border cooperation and thus create a building block for EEA. Furthermore, interoperability and other policies should be supported by a whole-institutional approach, in a similar perspective through which a whole-governmental approach to digital policies is promoted.

- In terms of safety and inclusion, we acknowledge that both learners with disabilities and learners from lower socio-economic backgrounds are mentioned, however a more nuanced adaptation should ensue. On one hand, only school level learners are mentioned in relation to ensuring digital devices, while this should apply to higher education as well. More generally, some references to school education should be applicable *mutatis mutandis* to higher education - despite the understandable urgency of achieving the targets for school education, the higher education students should not be forgotten, especially if we count the objective to achieve a highly skilled labour force able to navigate through the digital and green transition. On the other hand, digital tools and content should benefit from a universal-design perspective while special assistive tools should be in place for various categories of disadvantaged learners, especially those that lack the digital literacy to be able to make use of the potential of digitalisation.
- Finally, from the perspective of safety and linked to the proposed AI Act, we believe that mitigating measures and 'red lines' related to proctoring, other intrusive software and their use in education should be recommended.

Apart from the general feedback mentioned above, which outlines the key messages and policy proposals from ESU, please find below specific amendments to the proposal, in line with the aforementioned remarks:

Nr.	Current text	Proposed text	Justification
1.	Recital (10) Every European citizen is to benefit from suitable, accessible	Recital (10) Every European citizen is to benefit from suitable, accessible and safe	In order to stress out that these attributes of digital learning environments are not confined

	and safe learning environments, including digital ones.	learning environments, including digital ones, <b>at all levels of education.</b>	only to compulsory education, but should be seen in a lifelong perspective.
2.	Recital (17) At the same time, new and emerging technologies such as artificial intelligence quickly enter learner environments which brings potential opportunities as well as risks, such as cybersecurity. It is therefore crucial to support education and training institutions and teachers in developing better understanding about such tools and how they could use them in a confident and safe manner to the benefit of teaching and learning.	Recital (17) At the same time, new and emerging technologies such as artificial intelligence quickly enter learner environments which bring potential opportunities as well as risks, such as cybersecurity, <b>privacy issues, loss of learner agency, intellectual property issues or biases.</b> It is therefore crucial to support education and training institutions and teachers in developing better understanding about such tools and how they could use them in a confident and safe manner to the benefit of teaching and learning.	It is limitative to mention only cybersecurity as the risks associated with AI, especially as in recent times other topics, such as those proposed in the amendment, are fairly equally associated as caveats to be considered when deploying AI in education.
3.	1.5 Conduct regular evaluations of the impact of digital education policies and practices, including on learning outcomes, accessibility and inclusion, equality and well-being, with a life-long learning	1.5 Conduct regular evaluations of the impact of digital education policies and practices, including on learning outcomes, accessibility and inclusion, equality and well-being, <b>student-centred learning, achievement of transversal</b>	As mentioned in the recitals and in the explanatory note, digital skills foster greater societal roles, including ensuring critical and confident participation in social life and democracy. The degree

	<p>approach, and develop research on those subjects.</p>	<p><b>skills such as critical thinking and combating disinformation</b>, with a life-long learning approach, and develop research on those subjects.</p>	<p>to which the policies lean towards achieving these overarching objectives, which go beyond seeing digitalisation as an end goal in itself, should be monitored as well. Furthermore, in its pursuit of flexibility and quality, digital policies should support the middle step of improving student-centred learning as a prerequisite.</p>
<p><b>4.</b></p>	<p>2.2 Ensure the structural involvement of stakeholders and social partners in digital education and training policy design, development, implementation and evaluation processes, including active participation of those without formal representative bodies, such as parents and learners, including those from different socio-economic, age, sectoral and territorial contexts.</p>	<p>2.2 Ensure the structural involvement of stakeholders and social partners, <b>especially teacher and student unions</b>, in digital education and training policy design, development, implementation and evaluation processes, <b>as well as active participation of parents and learners, including those without formal representative bodies</b> and those from different socio-economic, age, sectoral and territorial contexts.</p>	<p>Teachers and students are at the heart of the digital ecosystem and the teaching and learning policies, however a broad range of references to stakeholders, even when providing examples (such as the private and public sector) fail to highlight them. ESU believes that adequate student and staff participation in designing and implementing digital education policy is a sine-qua-non condition for their</p>

			<p>efficiency and take-up. On another note, the formulation that 'those without formal representative bodies, such as parents and learners' should be involved is at least peculiar as it presumes that the general rule is that learners are not formally represented, which is not the case. While we support the initiative of supporting the participation of learners that are not represented by formal bodies (such as unions, councils, associations), including those from disadvantaged backgrounds, we consider that a reformulation which would not exclude these formal bodies is highly required.</p>
<p><b>5.</b></p>	<p>2.3 Establish sustainable cooperation and exchange with the private sector and technology providers, including education</p>	<p><b>(Reformulation)</b> 2.3 <b>Ensure</b> solutions that reflect Union values and principles, including digital sovereignty, interoperability, security <b>and risk-</b></p>	<p>ESU proposes a reformulation to better emphasise that the end goal is to ensure that the solutions deployed through</p>

	<p>technology providers, small and medium-sized enterprises and start-ups in developing solutions that reflect Union values and principles, including digital sovereignty, interoperability, security, data privacy and transparency, as well as sustainable use of rare resources and energy for digital purposes, by:</p>	<p><b>management</b>, data privacy and transparency, <b>the use of algorithms</b> as well as sustainable use of rare resources and energy for digital purposes, <b>through</b> sustainable cooperation and exchange with <b>education stakeholders and</b> the private sector and technology providers, including education technology providers, small and medium-sized enterprises and start-ups</p>	<p>digital education respect EU values, and the establishment of cooperation with the private sector is the means to achieve the goals, not a goal in itself. Furthermore, in order to achieve this goal, cooperation should be ensured in a multi-stakeholder approach that also includes stakeholder from the education sector.</p> <p>The principle of security should be associated with its preventive arm of risk-management when using digital tools, and a point we believe is especially missed is the use of AI algorithms in education, a principle soon to be enshrined through the AI Act and which by all means will prove to be consequential in deploying digital tools and decision-making in teaching and learning.</p>
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6.	3.1 Ensure that all teachers and teaching staff are supported in integrating digital technologies into their pedagogy, namely to use digital technologies for teaching, learning and assessment	3.1 Ensure that all teachers and teaching staff are supported in integrating digital technologies into their pedagogy, namely to use digital technologies for teaching, learning and assessment, <b>as well as learning how to protect privacy and data security.</b>	As certain responsibilities are and will be expected to be taken care of by teachers in relation to privacy and data security, teachers should also have the possibility to develop the competencies needed to exercise them.
7.	4.1.1 coordinating procurement processes to benefit from economies of scale where possible, while allowing for flexibility to the specific needs of education and training institutions, taking into account also the need for sustainability and accessibility for persons with disabilities; cooperate at EU level on standards and specifications that can be used for issues such as procurement organised in the field of digital education;	4.1.1 coordinating procurement processes to benefit from economies of scale where possible, <b>and ensuring the bargaining power of education and training institutions in the solutions created by EdTech</b> , while allowing for flexibility to the specific needs of education and training institutions, taking into account also the need for sustainability and accessibility for persons with disabilities; cooperate at EU level on standards and specifications that can be used for issues such as procurement organised in the field of digital education;	Achieving the objective of ensuring flexible digital solutions that are adapted to classroom and individual needs, education institutions and education systems' capacities to influence the design of digital tools and embed universal design and flexibility-by-design should be enhanced. For this, the capacity of the institutions to share their views should be galvanised through cooperation and procurement processes.



8.	4.2.3 ensuring that all learners have access to a personalised device at school that meets their specific needs and that all devices are serviced and maintained regularly	4.2.3 ensuring that all learners have access to a personalised device <del>at school</del> that meets their specific needs and that all devices are serviced and maintained regularly	In line with EU principles and commitments towards creating an inclusive European Education Area at all levels, ESU considers that learners at all education levels should have access to a personalised device, without any limitation.
9.	4.2.4 digitising teaching and learning materials and developing modern, accessible and high-quality digital education content, aligned with curricula and good pedagogical practices;	4.2.4 digitising teaching and learning materials and developing modern, accessible, <b>learner-centred</b> and high-quality digital education content, aligned with curricula and good pedagogical practices;	In its pursuit of flexibility and quality, digital policies should support the middle step of improving student-centred learning as a prerequisite, as evidenced also in the OECD paper quoted by the proposed CR.
10.	4.2.5 the deployment and integration of relevant centralised services, including through cloud solutions, such as virtual learning and administration management systems (including secure communication and collaboration	4.2.5 the deployment and integration of relevant centralised services, including through cloud solutions, such as virtual learning and administration management systems (including secure communication and collaboration tools, education content repositories,	Achieving interoperability and integration of management systems for student and staff mobility would bring added value at all levels and is in line with already existing EU work on this dimension from Erasmus+.

	tools, education content repositories, classroom management and digital assessments) in all education and training institutions, while ensuring their interoperability, privacy and data security;	classroom management and digital assessments, <b>student and staff mobility</b> ) in all education and training institutions, while ensuring their <b>institutional, national and European</b> interoperability, privacy and data security;	Furthermore, it should be mentioned that interoperability should be promoted at institutional, national but also European level, in order to promote seamless cooperation and development of shared tools.
<b>11.</b>	4.2.6 ensuring inclusive education by safeguarding the accessibility of digital education content and technologies for learners and teachers with disabilities and providing specialised equipment and solutions for learners with special educational needs	4.2.6 ensuring inclusive education by safeguarding the accessibility of digital education content <b>and assessment</b> and technologies for learners and teachers with disabilities and providing specialised equipment and solutions for learners with special educational needs	As part of learning and teaching policies, assessment heavily influences the inclusivity of the process. Despite best efforts to ensure inclusivity and accessibility in terms of content, the lack of measures to ensure flexible approaches and support measures that foster the inclusivity of digital assessment may hinder these efforts.
<b>12.</b>	1.Support effective continuation and functioning of the High-level Group set up for the Structured Dialogue with Member States with a view to	1. Support effective continuation and functioning of the High-level Group set up for the Structured Dialogue with Member States with a view to provide steering on	We believe that the role, impact and regulation of AI in education should have a more prominent role in the CR. However, despite

	provide steering on key strategic topics addressed in this Recommendation. The group may establish technical subgroups, notably on assessment and certification of digital skills, curriculum development, and quality requirements for digital education tools and content.	key strategic topics addressed in this Recommendation. The group may establish technical subgroups, notably on assessment and certification of digital skills, curriculum development, and quality requirements for digital education tools and content, <b>as well as quality and safe deployment of AI in education.</b>	being regularly mentioned as a disruptive technology and considering also the proposed AI Act, the measures linked to AI are not balanced with the impact, benefits and risks it entails. As such we believe that dedicated bodies should be created for this purpose, in order to support through various means a quality and safe deployment of AI.
<b>13.</b>	2.1 Enable the exchange of best practice, networks and peer learning among Member States, policy-makers, practitioners and stakeholders from the private and public sector	2.1 Enable the exchange of best practice, networks and peer learning among Member States, policy-makers, practitioners and stakeholders, <b>such as teacher and student unions, civil society organisations and</b> from the private and public sector	While several stakeholders are explicitly mentioned, some core ones are missed out and should be equally highlighted.
<b>14.</b>	2.2 Promote cooperation with stakeholders, including software and hardware providers, on digital infrastructure and tools and their sustainable use in education and	2.2 Promote cooperation with stakeholders, including software and hardware providers, on digital infrastructure and tools and their sustainable <b>and learner-centred</b> use in	In its pursuit of flexibility and quality, digital policies should support the middle step of improving student-centred learning as a prerequisite, as

	<p>training, while promoting Union values and principles on privacy, data protection and interoperability.</p>	<p>education and training, while promoting Union values and principles on privacy, data protection and interoperability.</p>	<p>evidenced also in the OECD paper quoted by the proposed CR.</p>
<p><b>15.</b></p>	<p>3.3 Promote the roll-out of the ethical guidelines on the use of artificial intelligence and data in teaching and learning to help primary and secondary teachers integrate artificial intelligence and data into school education effectively (...)</p>	<p>3.3 Promote the roll-out of the ethical guidelines on the use of artificial intelligence and data in teaching and learning to help <del>primary and secondary</del> teachers integrate artificial intelligence and data into <del>school</del> education effectively (...)</p>	<p>While we acknowledge that the existing Ethical Guidelines are created for primary and secondary school level and should be promoted as such, the same approach should apply to other levels of education. As already signalled in the designation of AI used in education as a 'high-risk' application, irrespective of the level of education, through the proposed AI Act, there should be a priori quality checks. To this objective, the EU should support Member states and education institutions with guidelines on how to consider the ethical dimension in all levels of education.</p>

<p><b>16.</b></p>	<p>4.1 Support Member States' investment in essential digital education infrastructure (including connectivity, equipment, tools and digital content) through Union funding and strengthen the links between existing Union policies and funding instruments and programmes and national and regional strategies for digital education and the digitalisation of schools.</p>	<p>4.1 Support Member States' investment in essential digital education infrastructure (including connectivity, equipment, tools and digital content) through Union funding and strengthen the links between existing Union policies and funding instruments and programmes and national and regional strategies for digital education and the digitalisation of schools <b>and higher education institutions.</b></p>	<p>The EU already supports investment in essential digital education infrastructure for higher education institutions through several programmes and this objective should be kept and mentioned.</p>
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