



Bologna Thematic Peer Group C on Quality Assurance

The 5th meeting

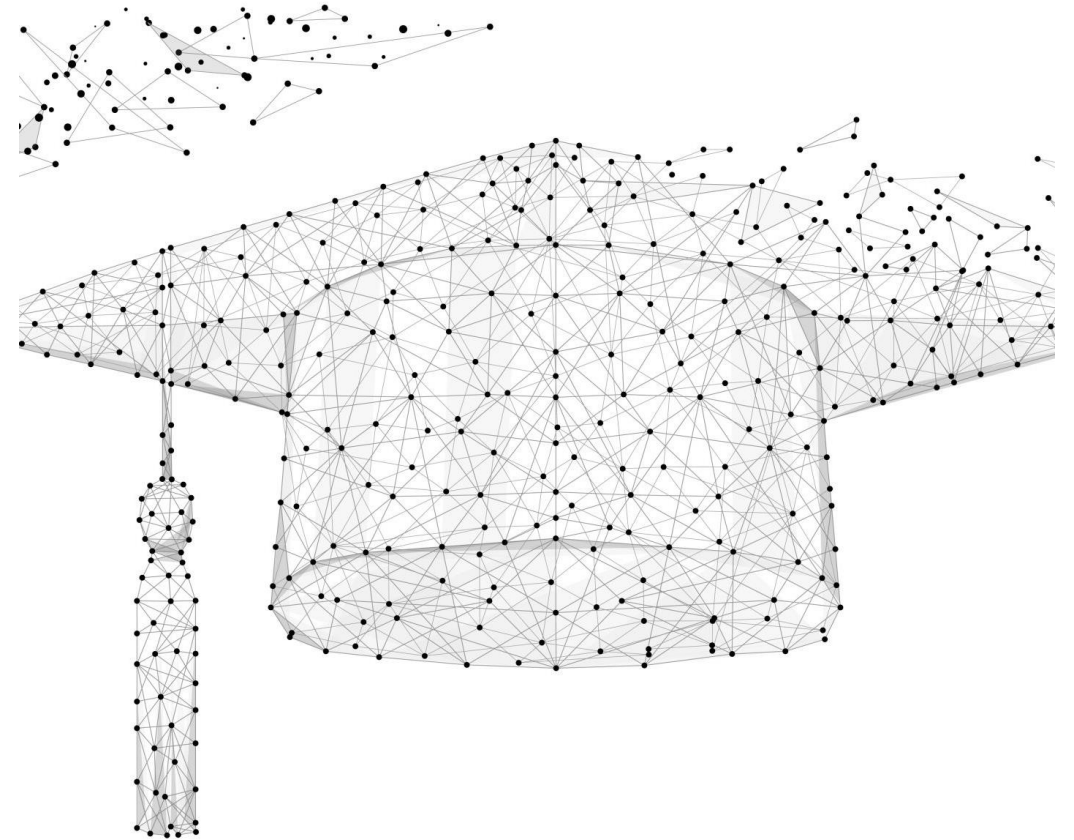
13th-14th June 2024

Continental Forum Hotel,
Constanta, Romania

Cezar Mihai Haj, Co-chair
of the Fundamental
Values WG

Fundamental Values in EHEA

- Academic freedom
- Academic integrity
- Institutional autonomy
- Student and staff participation in higher education governance
- Public responsibility *for* higher education
- Public responsibility *of* higher education



Progress

- **Paris Ministerial Communiqué**
 - List of fundamental values presented explicitly;
- **Rome Ministerial Communiqué**
 - Academic freedom was defined within the communiqué and statement of academic freedom annexed;
- **Tirana Ministerial Communiqué**
 - Rest of fundamental values have been defined within the communiqué and statement annexed with extenso description (conceptual references)



The process of defining the common understanding

EHEA working group – Experts

BFUG

Ministerial Conference

Ministerial Communique

Monitoring of FV

Assessing the relevance
and limitations of
current indicators

Developing a technical policy
framework of indicators to
measure and assess FV

Mapping the existing
indicators on FV

Developing a piloting methodology

Piloting the framework

Finalizing the technical policy framework of
indicators to measure and assess FV

NewFAV

T2.4 - Developing a technical policy framework of indicators to measure and assess Fundamental Values – June 2024

TYPE OF MONITORING and INDICATORS		VALUES		
		Rights/Freedoms		
De jure		Academic freedom	Institutional autonomy	Participation of students and staff in university governance
Protection (adequate, intermediary, inadequate)	Outlook (negative, unchanged, positive)			
Promotion (absent, limited, significant)				
De facto				
<i>Infringements</i>				
Threats				
Positive developments				

NewFAV

T2.4 - Developing a technical policy framework of indicators to measure and assess Fundamental Values – June 2024

TYPE OF MONITORING and INDICATORS		VALUES		
		Obligations/Duties		
De jure		Academic integrity	Public responsibility for higher education	Public responsibility of higher education
Protection (adequate, intermediary, inadequate)	Outlook (negative, unchanged, positive)			
Promotion (absent, limited, significant)				
De facto				
<i>Fulfilment of obligations</i>				
Threats				
Positive developments				

The process of monitoring – NEW DETAILS

Aims of monitoring :

- Provide a clear picture regarding the implementation of the commitments “to promoting and protecting our shared fundamental values in the entire EHEA” (Rome Communiqué, 2020)
- “[BFUG to develop a framework for the] enhancement of the fundamental values across the EHEA that will foster self-reflection, constructive dialogue and peer-learning across national authorities, HEIs and organizations, while also making it possible to assess the degree to which these are honoured and implemented in our systems”

Type of monitoring:

- *de jure* and *de facto* implementation of explicit commitments
- based strictly on the EHEA statements regarding the fundamental values
- significant use of existing data & new data collection

Who will do the monitoring?

Sources of data

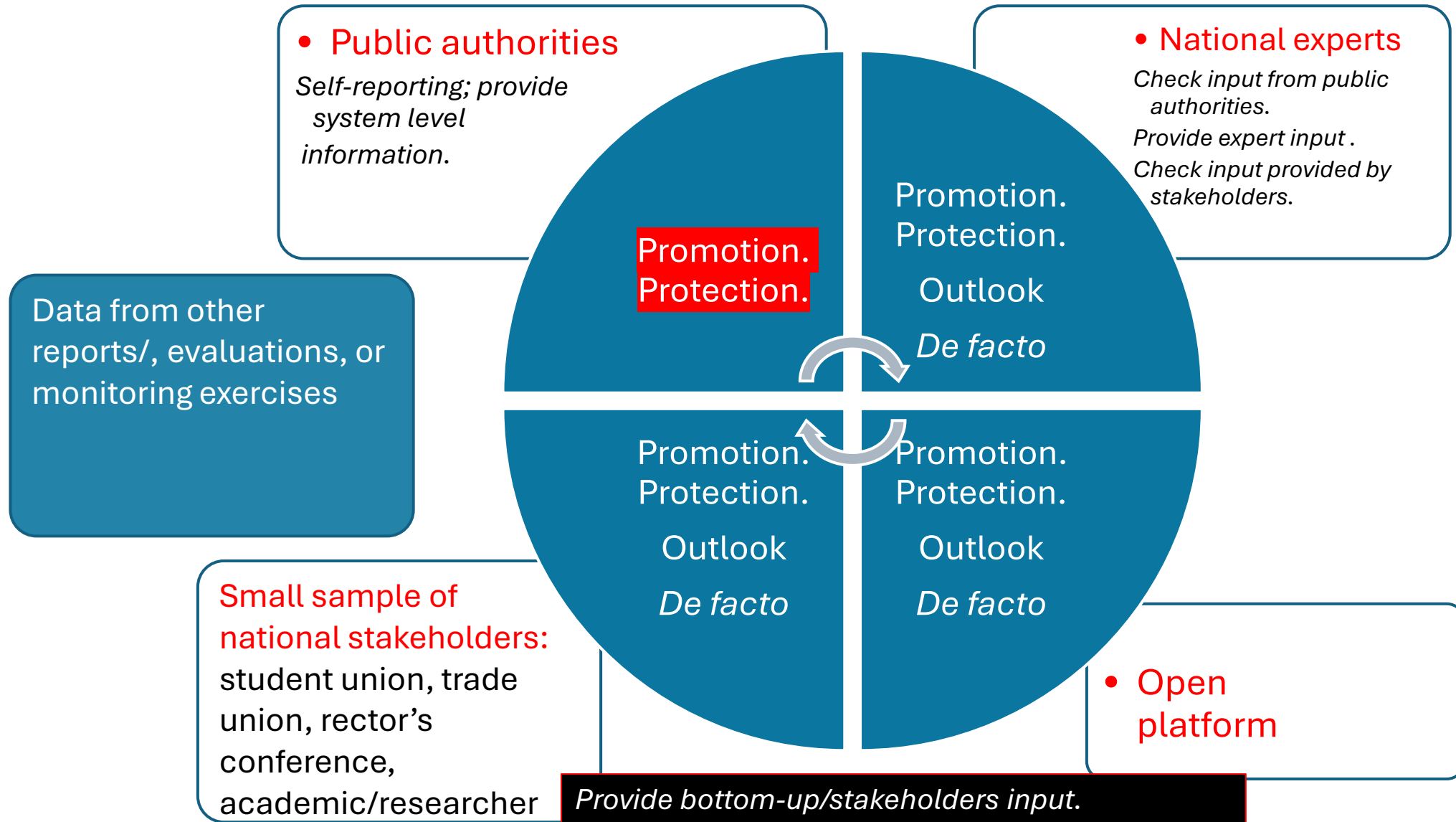
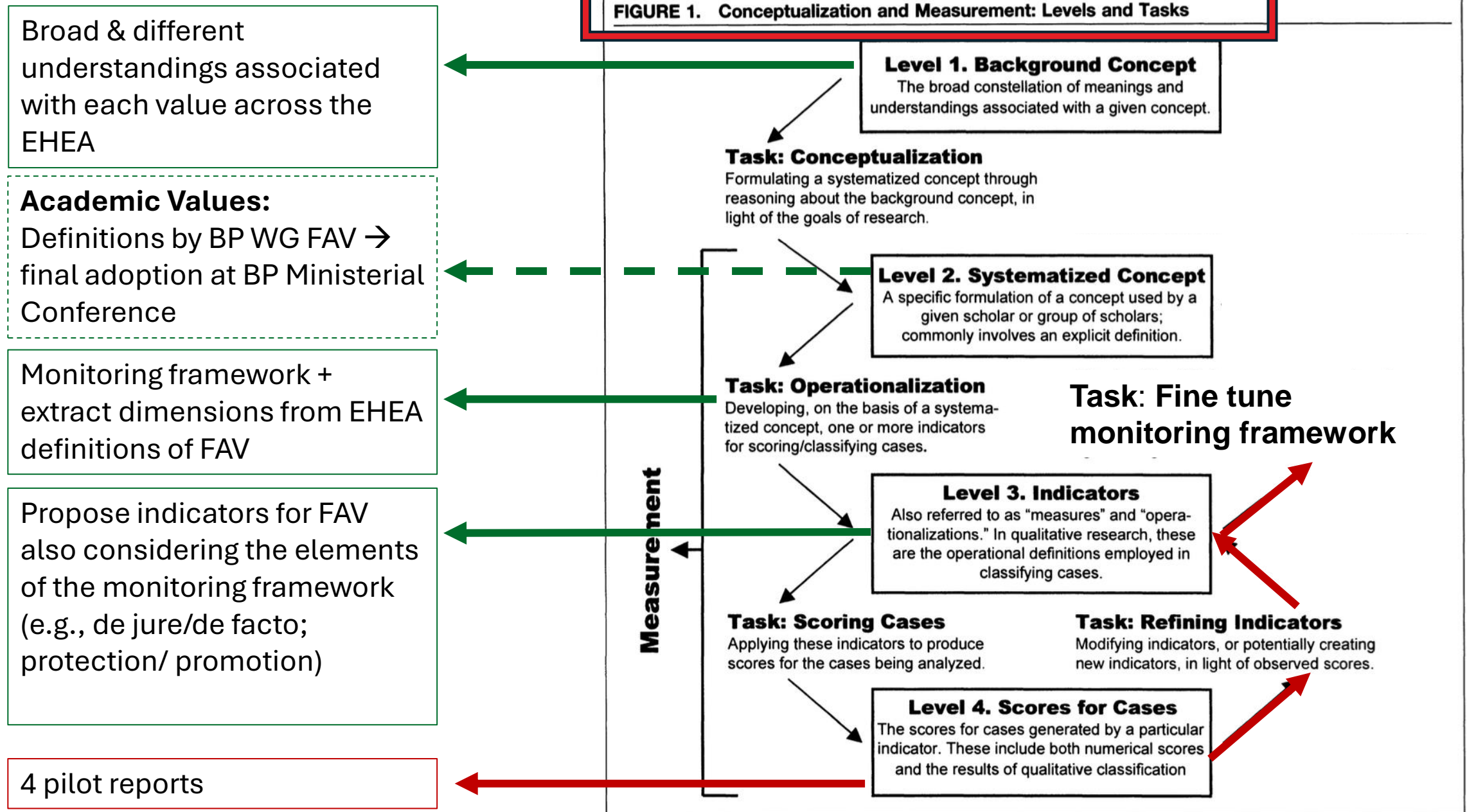


FIGURE 1. Conceptualization and Measurement: Levels and Tasks



Extract commitments on values

To protect and promote FAV in line with statements



Extract dimensions on values from statements

Based on shared understanding of values



Develop questions for monitoring commitments

Basis for indicators to assess compliance with commitments

Academic Freedom



“freedom of academic staff and students to engage in research, teaching, learning and communication in and with society without interference nor fear of reprisal”

- Adopted within the Rome Ministerial Communique
- Included in the proposed monitoring framework
- Not part of the Tirana Communique/annex but referenced

ESG 2015 : Academic freedom and academic integrity

1.1 Policy for quality assurance

Standard: Institutions should have a policy for quality assurance that is made public and forms part of their strategic management. Internal stakeholders should develop and implement this policy through appropriate structures and processes, while involving external stakeholders.

Guidelines:

- ...
- Quality assurance policies are most effective when they reflect the relationship between research and learning & teaching and take account of both the national context in which the institution operates, the institutional context and its strategic approach. Such a policy supports:
 - ...
 - academic integrity and freedom and is vigilant against academic fraud;
 - ...

ACADEMIC FREEDOM in EHEA

- **WHAT IT IS/DIMENSIONS:**

1. Freedom to research
2. Freedom to teach
3. Freedom to learn
4. Freedom to disseminate knowledge (intramural & extramural)

- **FOR WHO (WHOE FREEDOM): Members of the academic community**
(staff & students)

DE JURE - Protection

Protection	Explanation
	<p>The concept pf ‘academic freedom’</p> <ul style="list-style-type: none"> - is specifically mentioned in legislation as a right (or protected through legislative or judicial decisions) AND - the concept is defined/specified in legislation in line with EHEA Commitments/definition to include ALL dimensions of academic freedom: -teaching, learning, research, intramural/extramural communication for academic staff & students).
	<p>The concept of ‘academic freedom’</p> <ul style="list-style-type: none"> - is specifically mentioned in legislation (or protected through judicial decisions) AND - the concept is defined/specified in legislation but only partly in line with the EHEA Commitments (3 out of 4 dimensions of academic freedom)
	<p>The concept pf ‘academic freedom’ is specifically mentioned in legislation (or protected through judicial decisions) but only 2 out of 4 dimensions of academic freedom are mentioned</p>
	<p>The concept pf ‘academic freedom’ is specifically mentioned in legislation (or protected through judicial decisions) but max. 1 dimension of academic freedom y is mentioned.</p>
	<p>The concept of ‘academic freedom’ is not specifically mentioned in any type of legislation or judicial decisions.</p>

1. Is academic freedom legally protected? (tick all that apply)

- ☐ Yes, in constitution
☐ Yes, in law
☐ Yes, in judicial decisions
☐ No

If yes, is it defined? YES/NO

If yes, specify original & English- translated definitions and give reference/link to source:

If the concept of academic freedom mentioned is defined in different legal instruments in the respective system, are these definitions consistent?

- ☐ Yes, they are fully or mostly consistent
☐ No, there is a contradiction between constitution and laws

Comment_____

Question only for the national expert:

If academic freedom is defined at the system level, is this definition in line with the EHEA definition:

- ☐ Yes, fully.
☐ Yes, partially. Please explain_____
☐ No

3. What dimensions of academic freedom do legal protections of academic freedom cover? (tick all that apply)

- ☐ Freedom to research
- ☐ Freedom to teach
- ☐ Freedom to learn
- ☐ Freedom of knowledge dissemination intramurally
- ☐ Freedom of knowledge dissemination extramurally

4. Are these dimensions of academic freedom protection applied to the following groups

	Tenured staff (permanent contract)	Non-tenured staff (fixed term contract)	Students
Freedom to research			
Freedom to teach			
Freedom to learn			
Freedom of knowledge dissemination (Intramural)			
Freedom of knowledge dissemination (Exramural)			

5. What members of the academic community are protected by the law? (tick all that apply)

- ☐ Tenured academic staff (with permanent contracts)
- ☐ Non-tenured academic staff (with fixed term contracts)
- ☐ Full-time staff
- ☐ Part-time staff
- ☐ Students
- ☐ Not specified

DE JURE – Protection outlook

Protection	Explanation
	<p>There are plans to increase protections of academic freedom:</p> <ul style="list-style-type: none"> - in upcoming legislation generally or as a right - in upcoming judicial decisions - by defining the concept in upcoming legislation
	<p>There are NO plans to increase/decrease protection of academic freedom.</p>
	<p>There are plans to diminish existing protection of academic freedom:</p> <ul style="list-style-type: none"> - in upcoming legislation generally or as a right - in upcoming judicial decisions

1. Are there plans to change legal protection of academic freedom:

- ☐ Yes, increase legal protection
- ☐ Yes, decrease legal protection
- ☐ No, neither increase nor decrease legal protection

If yes, please explain what upcoming legislation/judicial decisions are planned. As much as possible, provide sources (e.g. parliamentary debates, news, draft legislation, etc.). Give all known examples.

DE JURE - Promotion

Promotion	Explanation (focus is on what has already been done)
	System-level authorities have developed: <ul style="list-style-type: none"> - Guidelines to support the exercise of academic freedom AND - Mechanisms (initiatives/policies/funding) AND - Requirements for an external body to evaluate how the exercise of academic freedom is ensured in HEIs.
	System-level authorities have developed (2 out of 3): <ul style="list-style-type: none"> - guidelines to support the exercise of academic freedom - Mechanisms (initiatives/policies/funding) - Requirements for an external body to evaluate how the exercise of academic freedom is ensured in HEIs.
	System-level authorities have developed guidelines OR mechanisms to support the exercise of academic freedom OR requirements for an external body to evaluate how the exercise of academic freedom is ensured in HEIs.
	System-level authorities have not developed any guidelines/mechanisms (initiatives/policies/regulation/funding) to support the exercise of academic freedom AND there are no requirements for an external body to evaluate how the exercise of academic freedom is ensured in HEIs.
	System-level authorities have developed guidelines/mechanisms that weaken exercise of academic freedom.

- Are there HE system level guidelines to support the exercise of academic freedom? Yes/No**
- Are there HE system level mechanisms, policy initiatives or funding available to support the exercise of academic freedom? (tick all that apply)**
 - ☐ Yes, initiatives – if yes, specify _____
 - ☐ Yes, policies – if yes, specify _____
 - ☐ Yes, funding – if yes, specify _____
 - ☐ No
- Are there requirements for an external body to evaluate how the exercise of academic freedom is ensured in HEIs (e.g. external QA)?**
 - ☐ Yes – Specify _____
 - ☐ No

DE JURE – Promotion outlook

Protection	Explanation
	<p>There are plans to promote academic freedom by:</p> <ul style="list-style-type: none"> - developing guidelines to support the exercise of academic freedom - Developing mechanisms (initiatives/policies/regulations) to support the exercise of academic freedom - requiring an external body to evaluate how the exercise of academic freedom is ensured in HEIs.
	<p>There are NO plans to increase/decrease promotion of academic freedom.</p>
	<p>There are plans to diminish existing promotion of academic freedom.</p>

1. Are there plans to change HE system level guidelines related to academic freedom?

- ☐ Yes, change guidelines to increase promotion
- ☐ Yes, change/remove guidelines to decrease promotion
- ☐ No

2. Are there plans to change HE system level mechanisms related to academic freedom? (tick all that apply)

- ☐ Yes, introduce initiatives/ policies/regulation/ funding to increase promotion

Specify: _____

- ☐ Yes, introduce initiatives/ policies/funding to decrease promotion Specify: _____

☐ No

3. Are there plans to change the requirements for an external body to evaluate how the exercise of academic freedom is ensured in HEIs (e.g. external QA)?

- ☐ Yes, change requirements to increase promotion. Specify _____

- ☐ Yes, change requirements to decrease promotion. Specify _____

Specify _____

☐ No

DE FACTO

De facto	Inventory
positive developments Intentional/unintentional actions that support academic freedom	Actions that support the official Bologna Process commitments made to protect and promote academic freedom.
Threats Intentional/unintentional actions undertaken that might limit academic freedom but have not done so.	Plans to break the Bologna Process commitments made to protect and promote academic freedom.
Infringements Violations (breaking the terms of the law/Bologna Commitment) of academic freedom)	Actions that break the Bologna Process commitments made to protect and promote academic freedom.

1. Are there positive developments at system level to support academic freedom in practice?

☐ Yes

☐ No

If yes, provide an inventory of positive developments Give all known examples since 2020.

2. Are there threats at system level that might limit the exercise of academic freedom in practice?

☐ Yes

☐ No

If yes, provide an inventory of threats. Give all known examples since 2020.

3. Are there infringements at system level that limit the exercise of academic freedom in practice?

☐ Yes

☐ No

If yes, provide an inventory of infringements. Give all known examples since 2020.

Institutional Autonomy

- Institutional autonomy is understood as a crucial element of higher education institutions' ability to fulfill their missions effectively.
- Issues related to institutional autonomy include:
 - Balancing institutional autonomy with public responsibilities.
 - The various dimensions of autonomy, such as organizational, financial, staffing, and academic autonomy.
 - Ensuring participatory rights for different members of the academic community.

“Understood as the will and ability of higher education institutions to fulfil their missions without undue interference and to set and implement their own priorities and policies concerning organization, finance, staffing and academic affairs.”

INSTITUTIONAL AUTONOMY in EHEA

- **WHAT IT IS/DIMENSIONS:**

1. Organizational autonomy
2. Financial autonomy
3. Staffing autonomy
4. Academic autonomy

- **FOR WHO (WHOSE AUTONOMY):** Higher education institutions

DE JURE - Protection

Protection	Explanation
Full	<p>The concept pf ‘institutional autonomy’ is specifically mentioned in legislation (or protected through judicial decisions) AND the concept is defined/specified in legislation in line with Bologna Commitments to include ALL dimensions of institutional autonomy:</p> <ul style="list-style-type: none"> - Organizational autonomy - Financial autonomy - Staffing autonomy - Academic autonomy
Adequate	<p>The concept pf ‘institutional autonomy’ is specifically mentioned in legislation as a right (or protected through judicial decisions) AND the concept is defined/specified in legislation but is not fully in line with Bologna Commitments (3 out of 4 dimensions of institutional autonomy).</p>
Intermediary	<p>The concept pf ‘institutional autonomy’ is specifically mentioned in legislation (or protected through judicial decisions) but only 2 out of 4 dimensions of institutional autonomy are mentioned.</p>
Inadequate	<p>The concept pf ‘institutional autonomy’ is specifically mentioned in legislation (or protected through judicial decisions) but max. 1 dimension of institutional autonomy is mentioned.</p>
Absent	<p>The concept pf ‘institutional autonomy’ is not specifically mentioned in any type of legislation or judicial decisions.</p>

1. Is institutional autonomy legally protected? (tick all that apply)

- ☐ Yes, in law
☐ Yes, in judicial decisions
☐ No

If yes, is it defined? YES/NO

If yes, specify original & English- translated definition and give reference/link to source: _____

2. What elements of institutional autonomy do legal protections cover? (tick all that apply)

- ☐ Organizational autonomy
☐ Financial autonomy
☐ Staffing autonomy
☐ Academic autonomy

3. What higher education institutions are entitled to institutional autonomy? (tick all that apply)

- ☐ Public institutions
☐ Private for-profit institutions
☐ Private not for profit institutions
☐ Not specified

Question only for the national expert:

If autonomy is defined at the system level, is this definition in line with the EHEA definition:

- ☐ Yes, fully.
☐ Yes, partially. Please explain _____
☐ No

DE JURE – Protection outlook

Protection	Explanation
	<p>There are plans to increase protections of institutional autonomy:</p> <ul style="list-style-type: none"> - in upcoming legislation generally or as a right - in upcoming judicial decisions - by defining the concept in upcoming legislation
	<p>There are NO plans to increase/decrease protection of institutional autonomy</p>
	<p>There are plans to diminish existing protection of institutional autonomy:</p> <ul style="list-style-type: none"> - in upcoming legislation generally or as a right - in upcoming judicial decisions - by defining the concept in upcoming legislation

1. Are there plans to change legal protection of institutional autonomy:

- ☐ Yes, increase legal protection
- ☐ Yes, decrease legal protection
- ☐ No, neither increase nor decrease legal protection

If yes, please explain what upcoming legislation/judicial decisions are planned. As much as possible, provide sources (e.g. parliamentary debates, news, draft legislation, etc.). Give all known examples.

DE JURE - Promotion

Promotion	Explanation (focus is on what has already been done)
	System-level authorities have developed: <ul style="list-style-type: none"> - Guidelines to support the exercise of institutional autonomy AND - Mechanisms (initiatives/policies/funding) AND - Requirements for an external body to evaluate how the exercise of institutional autonomy is ensured in HEIs.
	System-level authorities have developed (2 out of 3): <ul style="list-style-type: none"> - guidelines to support the exercise of institutional autonomy - Mechanisms (initiatives/policies/funding) - Requirements for an external body to evaluate how the exercise of institutional autonomy is ensured in HEIs.
	System-level authorities have developed guidelines OR mechanisms to support the exercise of institutional autonomy OR requirements for an external body to evaluate how the exercise of institutional autonomy is ensured in HEIs.
	System-level authorities have not developed any guidelines/mechanisms (initiatives/policies/regulation/funding) to support the exercise of institutional autonomy AND there are no requirements for an external body to evaluate how the exercise of institutional autonomy is ensured in HEIs.
	System-level authorities have developed guidelines/mechanisms that weaken exercise of institutional autonomy.

1. **Are there HE system level guidelines to support the exercise of institutional autonomy?** Yes/No
2. **Are there HE system level mechanisms, policy or other initiatives, or funding available to support the exercise of institutional autonomy?** (tick all that apply)
 - ☐ Yes, initiatives – if yes, specify _____
 - ☐ Yes, policies – if yes, specify _____
 - ☐ Yes, regulation – if yes, specify _____
 - ☐ Yes, funding – if yes, specify _____
 - ☐ No
3. **Are there requirements for an external body to evaluate how the exercise of institutional autonomy is ensured in HEIs (e.g. external QA)?**
 - ☐ Yes – Specify _____
 - ☐ No

DE JURE – Promotion outlook

Protection	Explanation
	<p>There are plans to promote institutional autonomy by:</p> <ul style="list-style-type: none"> - developing guidelines to support the exercise of academic freedom - Developing mechanisms (initiatives/policies/funding) to support the exercise of academic freedom - requiring an external body to evaluate how the exercise of academic freedom is ensured in HEIs.
	There are NO plans to increase/decrease promotion of institutional autonomy.
	There are plans to diminish existing promotion of institutional autonomy.

1. **Are there plans to change HE system level guidelines related to institutional autonomy?**
 - ☐ Yes, change guidelines to increase promotion
 - ☐ Yes, change/remove guidelines to decrease promotion
 - ☐ No
2. **Are there plans to change HE system level mechanisms, policy initiatives or funding related to institutional autonomy?** (tick all that apply)
 - ☐ Yes, introduce initiatives/ policies/regulation/ funding to increase promotion
Specify: _____
 - ☐ Yes, introduce initiatives/ policies/regulation/ funding to decrease promotion
Specify: _____
 - ☐ No
3. **Are there plans to change requirements for an external body to evaluate how the exercise of institutional autonomy is ensured (e.g. external QA)?**
 - ☐ Yes, change requirements to increase promotion.
Specify _____
 - ☐ Yes, change requirements to decrease promotion.
Specify _____
 - ☐ No

DE FACTO

De facto	Inventory
positive developments Intentional/unintentional actions that support academic freedom	Actions that support the official Bologna Process commitments made to protect and promote institutional autonomy.
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Infringements Violations (breaking the terms of the law/Bologna Commitment) of academic freedom)	Actions that break the Bologna Process commitments made to protect and promote institutional autonomy.

1. Were there positive developments at system level that support the exercise of institutional autonomy in practice?

☐ Yes

☐ No

If yes, provide an inventory of positive developments Give all known examples since 2020.

2. Were there threats at system level that might limit the exercise of institutional autonomy in practice?

☐ Yes

☐ No

If yes, provide an inventory of threats. Give all known examples since 2020.

3. Were there infringements at system level that limit the exercise of institutional autonomy in practice?

☐ Yes

☐ No

If yes, provide an inventory of infringements. Give all known examples since 2020.

Academic Integrity

“Understood as a set of behaviors and attitudes in the academic community internalizing and furthering compliance with ethical and professional principles and standards in learning, teaching, research, governance, outreach and any other tasks related to the missions of higher education.”

- Reflects the duty of the academic community to adhere to ethical and professional standards in all aspects of higher education, including learning, teaching, research, governance, and outreach.
- Issues related to academic integrity encompass:
 - Promoting honesty, fairness, and transparency in all academic activities.
 - Addressing challenges posed by emerging technologies and data handling.
 - Collaborative efforts to combat academic misconduct and diploma mills, both locally and internationally.

Academic Integrity and QA

- "Academic integrity plays a major role in ensuring **the quality of all types of activity in higher education.**"
- "To ensure appropriate and fit for purpose processes at institutional and programme level, the **reference to the academic integrity** policies in learning and teaching, research, in administrative procedures and in institutional governance **should be included in quality assurance procedures, and be reviewed by the appropriate internal and external bodies in line with European and national frameworks, including the Standards and Guidelines for Quality Assurance in the European Higher Education Area (ESGs).**"
- "Teachers are responsible for creating a safe learning environment for students where a healthy error and **quality culture** is developed that recognises that making and identifying shortcomings and errors is an integral part of quality learning, teaching and research"

ESG 2015 : Academic integrity

1.1 Policy for quality assurance

Standard: Institutions should have a policy for quality assurance that is made public and forms part of their strategic management. Internal stakeholders should develop and implement this policy through appropriate structures and processes, while involving external stakeholders.

Guidelines:

- ...
- Quality assurance policies are most effective when they reflect the relationship between research and learning & teaching and take account of both the national context in which the institution operates, the institutional context and its strategic approach. Such a policy supports:
 - ...
 - **academic integrity and freedom** and is vigilant against academic fraud;
 - ...

Student and Staff Participation in HE Governance

- Student and staff participation in higher education governance is vital for a robust, accountable, and responsible education system.
- Issues related to participation encompass:
 - Rights to organize autonomously and elect representatives in fair elections.
 - Engagement in decision-making processes, from initiating debates to voting on governance issues.
 - Ensuring representation and a voice for all members, regardless of background.

“Student and Staff Participation in HE Governance encompasses their right to:
- organize autonomously, in accordance with the principle of partnership and collegiality, without pressure or undue interference;
- elect and be elected in open, free and fair elections; have their views represented and taken into account;
- initiate and participate in all debates and decision-making in all governing bodies;
- be duly involved, through their representative organizations, on issues concerning the governance and further development of the relevant higher education institutions and system.”

Student and Staff Participation in HE Governance and QA

- In all contexts, **duly elected student and staff representatives should be consulted on** all issues put before the governing bodies. These may include but are not limited to the freedom to learn, the organisation and content of education, curriculum design and **quality assurance**, equitable access to higher education, strategic objectives and governance designs, financial matters, academic staff recruitment and retention, secure employment conditions, freedom from threats, retaliation, dismissal, or other sanctions in relation to the content of their research, teaching or stated professional views.
- (Student and Staff Participation in HE Governance)....It **should be taken into account** when recognising higher education institutions as a part of any given national education system **and be included in the quality assurance criteria**.



ESG 2015 - Student and Staff Participation in HE Governance

- The ESGs provide a comprehensive framework for ensuring the active participation of students and staff in higher education governance and quality assurance processes.
 - Standards 1.1, 1.2, 1.3, 1.9, 2.2-2.4, 3.1 and 3.6
-

Public Responsibility for Higher Education

- Public authorities play a crucial role in supporting and regulating higher education, ensuring its quality and accessibility.
- Issues related to public responsibility include:
 - **Developing supportive regulatory frameworks** that enable institutional autonomy and academic freedom.
 - **Providing equal opportunities for all qualified candidates**, irrespective of background.
 - Ensuring sustainable funding for higher education and its societal missions.

“Public responsibility for higher education denotes a set of duties that public authorities must fulfill as part of their overall responsibility for the education sector and society as a whole”

Public Responsibility for Higher Education and QA

- **Public authorities** should consult and seek input from the higher education sector, internal university constituencies, and relevant external stakeholders regarding the configuration and substance of these frameworks. They should, however, **assume *exclusive responsibility* to ensure that the frameworks within which higher education is conducted are put in place and function adequately, including** the legal framework, the qualifications framework of the higher education system, **frameworks for quality assurance**, the recognition of foreign qualifications, information on higher education provision, the funding frameworks, and the frameworks for the social dimension of higher education.
- **The ESGs** are already emphasizing transparency, accountability, and societal engagement in quality assurance processes

Public Responsibility of Higher Education

- Public responsibility of higher education emphasizes the obligations of the higher education community to society at large.
- Issues related to public responsibility include:
 - **Upholding fundamental values** and ethical standards in teaching, research, and outreach.
 - **Engaging with society**, identifying problems, and providing expertise and solutions.
 - **Fostering a culture of democracy**, fairness, and transparency.
 - **Equal access and support** to ensure the success of all qualified candidates
 - **Contribution to major challenges**: sustainable development, peace, democracy, and global well-being.
 - **Preparing graduates for transition into labour market**

“Public responsibility of higher education denotes the obligations of the higher education community to the broader society of which the higher education community is a part”



Thank you!

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