

4. Student participation in Higher Education Governance

4.1 Introduction

Since the beginning, the Bologna Process has recognised students as crucial stakeholders, that should take part in shaping their own education. The Prague Communiqué declared that students are to be considered full members of the higher education community. (Prague Communiqué 2001).

As members of this community, it is sensible from a democratic perspective that this should translate into having the same involvement in decision making at their universities. (Wolff 1969) This approach has been championed by ESU over many years through the concept of Modern Collegiality:

“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 institutions.” (European Students’ Union 2016)

Students’ participation in decision making would also contribute positively to policies as they provide the perspective of those “using the services” and feeling the impact of the decisions being made. Changing structures and the content of higher education cannot be done in a way that is fit for purpose if it does not involve the stakeholders. Therefore, in Prague:

“Ministers stressed that the involvement of (...)students as competent, active and constructive partners in the establishment and shaping of a European Higher Education Area are needed and welcomed. ...Ministers affirmed that students should participate in and influence the organisation and content of education at universities and other higher education institutions.” (Prague Communiqué 2001)

Fast forwarding to today, we can see an overall decrease in student participation in the formal decision-making bodies. This has taken place in two different forms; first there has been a reduction in the number of students present in boardrooms and around the negotiation and brainstorming tables, and the second has been to transfer the student voice into more informal arrangements. Often amicable arguments are being used, for example *“Increasing the actual influence.”*, *“Establishing new bodies that are deemed more relevant.”*, and to *“Trade them for higher representation in other decision-making boards.”*

4.2 Main findings

A declining Bologna Effect

With the fundamental values high on the agenda of the Bologna Process, looking at the effect it has on student representation today is a useful exercise. Over the last two versions of Bologna with Student Eyes, we can see a decline in students' unions reporting that the Bologna Process has a positive impact on student participation in their countries. This trend is prevalent again this year. Only two respondents declare the Bologna Process to be an essential driving force for student involvement in their national contexts. 16 unions say that there has been some influence, and 19 claim that there is very little or no effect to be seen. Back in 2015, 10 unions said they could see a significant positive impact on student participation, and in 2012 it was even higher with 14. (European Students' Union 2012, 2015) On a positive note, no unions state that the Bologna Process has had any negative impact on student participation. This has been a concern in previous publications, where Denmark and Germany were reported to misuse the process as an argument for other reforms that played out negatively for students.

Legislation

Fig. 4.1: Legislated student participation in EHEA countries.

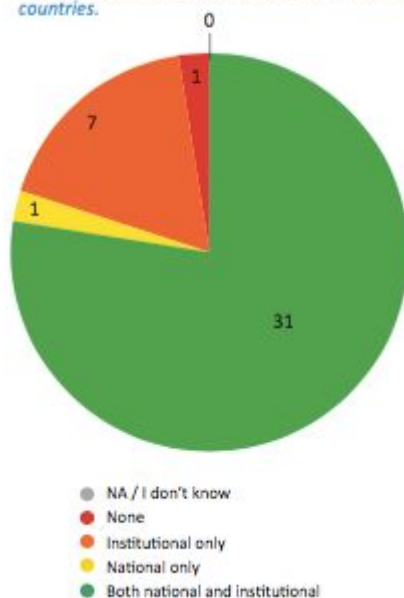


fig.04.1 Legislated student participation in EHEA countries.

In the London Communiqué it was underlined that in many EHEA countries, legal measures were being put in place to ensure student participation. (London Communiqué 2007) This corresponds well with our findings, and all but one country has a minimum level of participation enshrined in law. In 31 nations our unions benefit from legislation that demands participation both on a national and at an institutional level. Most countries that do not guarantee participation at both levels have laws concerning the institutions, overall 7 nations fall into this category.

Just one country, Switzerland, reports only having legislation on the national level, where the legal competence of the institutions lies at the cantons.

Northern Ireland does not have any statutory provisions but students feel well represented. However, the difference in organisational structures is considerable between higher education institutions.

Some countries, including Latvia, have written down the necessity of a national students' union in the law for higher education.

Enactment

Fig. 4.2: Satisfaction with the enactment of legislation in countries that have it on both national and institutional levels.

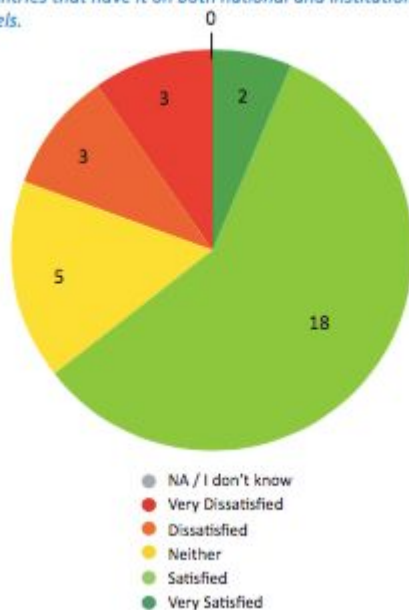


Fig. 04.2: Satisfaction with the enactment of legislation in countries that have it on both national and institutional levels.

Student participation seems well embedded in EHEA, but enactment is unanimously celebrated. In the “top-ranked” countries, that have a legal provision on both national and institutional levels, 20 out of 31 are satisfied, of whom only 2 unions are very satisfied. As expected, satisfaction is lower in countries that only cover institutions in their legislation, with 3 out of 7 satisfied with the enactment in this group.

This indicates that what defines student participation, and how it should be accommodated for, is often understood differently amongst students and the

governmental and institutional leadership. Our unions recognise two threats to democratic student participation:

- Students are not able to pick their own representatives, or the procedure is lacking transparency
- Participation is constrained to minor decisions, or no “real” influence is provided
- Student representatives make up a tiny minority in decision making

Lack of transparency in the selection

One can formally claim to involve students, by listening to *a student* or to have *a student* represented on a board, an advisory group, an expert’s meeting or other relevant fora. However, this can hardly be called real, democratic student representation. For democratic students’ unions, it is essential that those chosen to represent the opinion, the expertise and votes of students are (s)elected by their peers, through democratic and transparent selection procedures. This is the only way to ensure that the student’s representatives can be held accountable to the many that they represent. As students differ vastly in backgrounds, interests, preferred learning styles, and thereby also opinions, every student needs to be able to feel that their voice and opinion can be influential.

Therefore, it is highly concerning that many respondents call out a lack of transparency and describe what can be identified as wholly closed procedures, where the government, administration and/or academic staff are “free to pick their preferred candidate” (Belarus). Choosing students that are likely to represent the same opinions as those in charge is a defining element of “tokenism”. Without granting them rights nor influence, the windows are dressed to give an impression that an entire group is being represented. (Arnstein 1969)

Others report that there is a selection procedure where every student can formally put forward their candidacy, but the processes are not adequately informed about or announced (France). Even when there are legislation and rules put in place they can sometimes be bypassed and thereby undermine democratic procedures (Germany). Good practice is to be found, for example, Scotland assigns that students' unions by law have the right to sit on governing bodies.

No influence where it matters

New policies are constructed in multiple steps and procedures, but the process can roughly be grouped into two main phases: preparatory work and decision making.

Student participation is interpreted differently in European countries and our scale ranges from no participation at all, to taking part in both preparatory work and decision making on all levels. In Italy student representatives hold seats on boards and senates but are restricted to specific points on the agenda, while in Luxembourg only speaking rights are granted, reducing participation to observer status. Having different provisions in institutions is practised in some countries. Finland ensures student participation in decision making only for the public institutions, while those run by foundations can choose themselves whether they want to comply with this standard. In Estonia the highest decision making at some universities is closed, and instead students are placed in the Senate, that deals only with educational matters. This case is highly problematic as it, like Italy, leaves it to the other power holders to define what students should care about.

Most surprising is that some unions report to be part of decision making, but not in the preparatory work. For example, the Norwegian students' union is well satisfied with their representation in decision-making bodies but works to improve participation in the preparatory ones.

Unions that are included only in preparatory work do not seem to be significantly less satisfied with their situation than those represented in decision making only. Although the latter clearly gives more *de jure* power and can be more easily recognised as delivering on the values and goals of Bologna, being involved in outcomes before a final agreement is made can at times outweigh this by granting more *de facto* power. As policy-making in higher education deals with complex matters and has high levels of detail, board decisions are sometimes little more than rubber stamping.

Too few seats provided

Influencing and changing decisions requires a stakeholder to be listened to, in order to convince others. When many individuals are gathered around a table, a room or partaking in a discussion together, it is easier to be heard when you are not thoroughly outnumbered by a more prominent majority group. Hence, for students to be able to use the positions and rights they are given, the portion of seats and votes is highly relevant. Therefore, the vast majority of legislation on student participation sets a minimum standard of representation.

In many countries, students' unions find their share to be too small for it to be a capable platform for making change. Ukraine's minimum quota is as low as 10%, and our member unions feel they are easily overlooked. Our German member union reports that legislation is below 15%. However, both unions indicate that these standards are being enacted.

By setting minimum levels, most systems provide institutions with the choice to go above the baseline and become national best practice on student participation, but this is rarely the case. Multiple unions say that the minimum standards are being interpreted as a set provision. This is the case in Ukraine and in Italy. The Hungarian system provides institutions with two available fractions of a ¼th or 1/3rd share for students, also here the latter is rarely used.

“The minimum quota for students is only 10%, and it is rarely exceeded, the norm is implemented consistently ... With a clear majority, the students' positions might easily get overlooked” (UAS Ukraine). Sometimes institutions do not even respect the minimum requirement, as claimed by our Croatian member, and one of the French unions UNEF, reports that institutional autonomy is often used as an excuse for not acting on the legal minimum standards.

Two respondents are reporting that the minimum level is decreasing. Serbia's new law lowers the standards, and in Armenia, there are plans to follow suit. Today students enjoy 25% representation in decision making, but a new proposed law will push this down to a meagre 10%.

Differences between the national and the local levels

Fig. 4.3: Can students' unions/representatives operate independently?

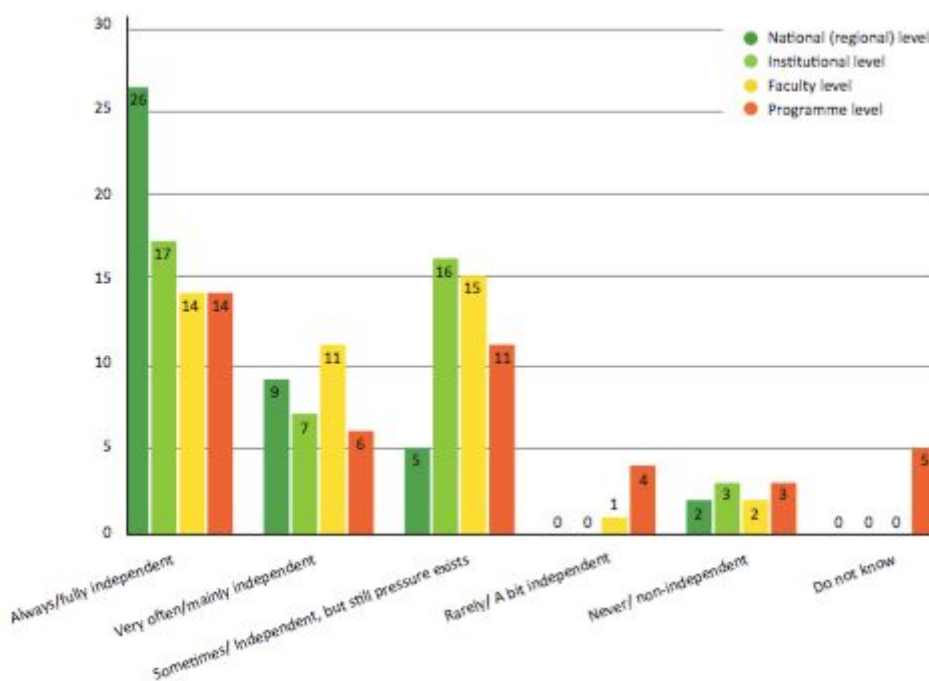


Fig.04.3: Can students' unions/representatives operate independently?

Some severe cases aside, independence of students' unions is pretty well secured on national levels, but in the institutions, and even more so on faculty and programme levels independence and freely run students' unions are often not a reality. Chart 03.03 shows that the further down the hierarchy of governance one gets, the more precarious the situation becomes. Only two of our members claim that national students' unions cannot run independently, these cases are in Belarus and in Hungary. All others argue that some level of independence is ensured in their countries, amongst whom the majority benefit from fully independent student participation.

Most of the decisions that directly affect individual students, albeit smaller than changing financial provisions, are made at the lower levels. Curricula design, capacity and opening hours of libraries, programme evaluations and learning environments are just some examples of typical local issues. DSF in Denmark emphasises that their good representation on the programme levels is highly appreciated for these reasons.

Though it would seem logical to expect that student participation would be more functional where daily interactions with academic staff and administration are more prominent, it is anything but the truth. In the open answers, we can find some common trends:

- Information disparities between students and staff.
- Financial and administrative dependency on the institutional administration.
- Lack of culture for student participation

Students stay at their university for a limited time which leads to high turnover rates among their representatives. Even in cases where someone would study for five years at the same institution pursuing a master's degree, it is highly unlikely that throughout all of those years an individual would represent students in one decision-making body. This often causes students to join a preparatory or decision making body mid-mandate, or from a position of not knowing the other participants. When getting (s)elected more time has to be spent preparing for meetings, and/or information is hard to access. Hence, there is a higher risk of representatives becoming overwhelmed by the knowledge required, know-how and information held by others in the academic community or external representatives. Having to argue with your own teachers, that already are in a power relation to you, does not make it more accessible.

VVS in Belgium says that this can become somewhat intimidating and according to our German member, students sometimes get bullied and pressured.

Organised students' unions can balance out some of the information disparities on the local levels by offering handovers, structuralising peer support and developing an institutional memory. However, they find it harder to operate further down the system. The Moldovan arrangement does not have a legal framework for unions to formally register. Hence they become dependent on the administration to sustain themselves. Relying on being part of the institution's legal entity is also the case in Croatia. This has a financial impact as well, with the union becoming financially dependent on their administrations. Swedish, Estonian and Serbian students are also concerned that the financial situation of local students' unions is challenging their independence. In Norway, unions are currently working to improve their

financial security, but concerns about receiving more funding from the administrations are less prevalent.

Local cultures and attitudes towards student participation are different and account for significant intra-national differences. *“Much depends on relationships with higher education institutions’ administrations”*, says LSA from Latvia. Representation at the programme level is not universal in EHEA countries. Both in Armenia and Croatia, it does not exist at all, according to the national students’ unions. Irish class representatives are often excluded from real decision making, whereas nationally USI is satisfied with how they are included in the system. As mentioned in an earlier subchapter, public and private institutions do not have the same provisions in some EHEA countries, often to the detriment of students at the private entities.

4.3 Conclusions and considerations for the future

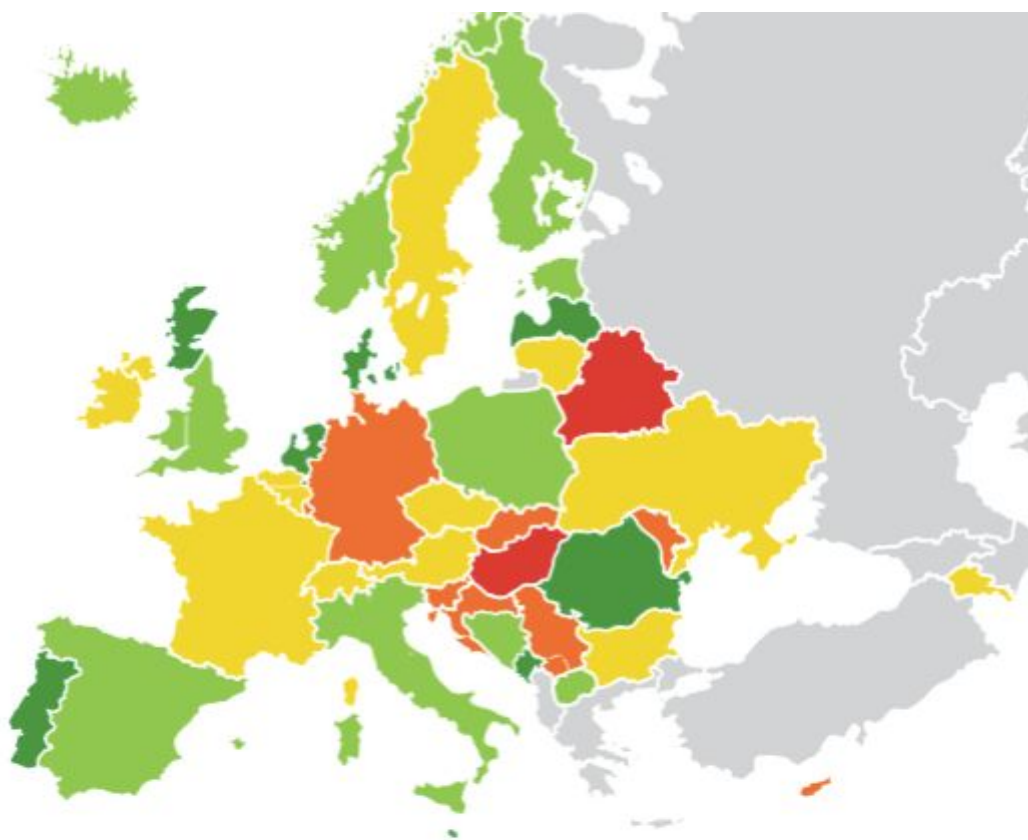


Fig. 4.4: Democratic student representation in the EHEA.

- EHEA country with no ESU member
- No information available
- No democratic representation
- Lack of democratic representation
- Some democratic representation
- Mostly democratic representation
- Democratic representation

fig.04.4 : Democratic student representation in the EHEA

We do not have the data to draw any conclusions on whether or not the Bologna Process has less effect on student participation today than before. Contrafactual theorising is a risky

exercise, so we should not hypothesise on whether or not it is the fundamental values that ensure today's student participation in place. It might very well be that most countries have stretched themselves as far as they are willing to go to ensure the involvement of students, based on the government's own interpretation of Bologna's expectations and therefore new developments are not grounded in the process.

From a legal point of view, EHEA countries are doing well in ensuring some level of student participation, but often the portion of seats and votes are too low to provide students with any de facto influence of significance in the eyes of students. Ideally, student participation is to involve independent and democratic students' unions at all levels of decision making. Figure 04.4 summarises this by combining the scores on the independence of students' unions with the extent of involvement.[1] As we can see, student participation varies vastly between EHEA countries, and often neighbouring countries differ substantially. Too many countries find themselves in the lowest bracket, but students' unions do not always see the situation as equally harmful. For example, Hungarian students are mostly positive about their national arrangements even though they are amongst the lowest performers on students' union independence. Cultural differences and nuances in what constitutes independence can possibly play a role.

Students in Belarus are by far the most critical of their role in decision making, both in scores provided and responses to open questions. Here, participation is either non-existent or characterised by non-transparent selections and bans on students' unions. Whether this can be improved by the country's newly found membership in EHEA can serve as a litmus test on whether or not the Bologna Process plays a role in ensuring student participation.

4.4 Recommendations

- Appointment and selection procedures for students to sit in preparatory and decision bodies at national, institutional, faculty and programme levels must be transparent and democratic. Students should be able to elect or select their own representatives, either by open elections or selection by independent student bodies that are being held accountable by the whole student mass.
- Students' self-organising in unions and organisations to partake in decision making, should be fostered and supported at all levels. This includes providing the opportunity for the organisations to be legally independent.
- Member countries need to make sure national laws secure a minimum representation of students in all decision-making bodies within higher education. The minimum should be no less than 20% to grant the students a realistic influence on decisions. States should make the legal requirement universal to all higher education institutions and in dialogues with HEIs making sure that they are enacted.
- Support structures should be put in place for student representatives to enable them to adequately perform their job and duties on behalf of their peers. This includes trainings of high quality on the work of the forum they enter and the structures, rules and culture in decision making. Students'

unions should be seen as a partner in providing this and get support for doing so.

- Respect for students' right to self-organise and advocate their opinions on higher education should be an absolute requirement put on any EHEA country. Member states and potential members who fail to do so must commit to, and show substantial improvement on, student representation within the timeline of two ministerial conferences. If not their status as an EHEA member should be revoked.

4.5 References

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[1] Scores range from 0-5 and are based on the average independence of student union independence on different governance levels added with scores on what kind of involvement is provided.

Independence on each level is assigned a score between 1 and 3, and then averaged. 3= Always/ fully independent, 2= Very Often/ Mainly independent , 1= Sometimes / Independent, but still pressure exists. As not all countries have decision making on a programme level, the scores have been averaged with the faculty level in the countries that have both.

2 points are added if students are part in both decision making and preparatory work. 1 point when only one of them. When students are “somewhat part” in decision making and preparatory work, 1 point is assigned.