



Working Group on Fundamental Values 2021-2024

Fifth Meeting, Romania
6-7 December
2022

Minutes of meeting

List of participants

Country/Organization	First Name	Last Name
Austria	Milica	Popović
Council of Europe	Sjur	Bergan
Croatia	Leonardo	Marušić
EI-ETUCE	Rob	Copeland
European Commission/Eurydice	David	Crosier
European Commission*	Kinga	Szuly
European Commission	Sven	Hullstein
European Students Union (ESU)	Matteo	Vespa
European University Association (EUA)	Monika	Steinel
Finland	Maija	Innola
France	Sara	Thornton
Germany (Co-Chair)	David	Akrami Flores
Holy See*	Melanie	Rosenbaum
Iceland	Una Strand	Viðarsdóttir
Malta (Co-Chair)	Rose Anne	Cuschieri
Norway (Co-Chair)*	Tone Flood	Strøm
Poland	Agnieszka Lekka	Kowalik
Romania (Co-Chair)	Mihai Cezar	Hâj
Romania	Cristina	Fit
Sweden	Robin	Moberg
Switzerland	Aurélia	Robert-Tissot
King's College London (Guest)	Liviu	Matei
The Netherlands	Sophie	Duijser
BFUG Secretariat	Jora	Vaso
BFUG Secretariat	Patrik	Bardhi

ENQA, Italy, Kazakhstan, North Macedonia, Turkey, United Kingdom, United Kingdom (Scotland) did not attend the meeting.

* Online participation.

1. Welcome remarks and approval of the Agenda

The Co-Chairs welcomed everyone to the fifth WG meeting. The minutes of the fourth meeting were discussed, and there was agreement that a final version of the paper would need to be approved by electronic consultation. In the interim, the draft minutes posted on the EHEA web site without being approved ought to be removed. It was requested that the minutes be delivered 15 days following the meeting and that all comments be taken into account. The WG asked that the minutes of its third meeting now be completed and submitted to the WG for approval.

The significance of note taking during the meeting was also emphasized in order to offer a thorough summary of the entire discussion, in particular in case of problems with the recording of the meeting. The importance of having minutes from previous meetings was underlined. It was informed that the European Commission (EC) and the BFUG Secretariat have held a dialogue on the best methods to support the Secretariat and utilize the possibilities through the EC grant.

The agenda was presented and adopted without change. It was suggested that the schedule for the upcoming WG meeting include a Q&A session on the European Parliament initiative on Academic Freedom, and a discussion on quality assurance (QA) and fundamental values.

For more information, please see: [WG FV CZ KZ 5 Agenda](#)

2. Updates from the NewFAV project

The first Peer-Learning-Activity (PLA) was held on 5 October 2022 in Romania, where there were discussions on institutional autonomy, that will help the debates for this meeting's sessions on institutional autonomy, as well as the academic integrity. In total five PLAs are planned, with the upcoming one to be held in conjunction with the next WG meeting in Germany. At the PLA, France and Romania presented on the topic of institutional autonomy, with the aim of sharing experiences and best practices. Participants were also informed on the new national reform on education being developed in Romania. Additionally, the PLA was also attended by the minister of education and representatives from relevant agencies that work on institutional autonomy, and Mr. Hâj thanked all WG members present at this PLA.

In terms of other deliverables, WG member Liviu Matei and his team have sent a document with the first deliverable that received some feedback. It was noted that a meeting with this team would be held the following week to clarify future steps and deliverables which are expected to be submitted prior to the next WG meeting in Germany, in order to have the new versions with the new deliverables by the time of the next WG meeting.

Appraisal was received for Elizaveta Potapova, one of the researchers working on the project, including Milica Popović, representative of the Republic of Austria in the WG, who received the 'Fundamental Academic Values Award' for their work and contribution to the fundamental values in higher education, which is given by German Academic Exchange Services (DAAD).

3. Indicators for the 2024 Bologna Process Implementation Report & update from the Monitoring WG

David Crosier (Eurydice) provided an overview of the WG on Monitoring's developments, indicating the organization of two WG meetings with the first one focusing on coordination with other BFUG WGs and the other one on consolidated proposals from these WGs. Mr. Crosier shared key takeaways from the BFUG Meeting LXXXII in Brno, highlighting that the main principles for the report and questionnaire, still under development, have been agreed upon. He noted that the use of data from the BFUG and other sources was stressed, particularly in the chapter of FV. Close cooperation with other WGs was also stressed. On the BFUG questionnaire, it was noted that there would be questions for all fundamental values based on the state-of-play in terms of legislation and policy documentation. It was clarified that for the Bologna Process Implementation Report 2024 (BPIR), a full monitoring reality will not be established, and current developments from the NewFav project and from the WG on FV will also be used for the long-term. Hence, Mr. Crosier underlined that indicators on the BPIR 2024 are transitional and liable to change in the future.

A detailed overview of the indicators, as well as the *de jure* and *de facto* components, for all values was provided. Mr. Crosier further noted that the BFUG questionnaire will be launched in February 2023. It was remarked that should there be any specific questions on fundamental values, they would be addressed through the WG Co-Chairs. Tone Flood Strøm (Co-Chair) explained that it would be better to have a form of reporting available despite the system not being perfectly aligned with the current indicators, rather than not reporting.

It has been remarked that in order to have a more comprehensive overview, it would be useful to look for *de jure* monitoring of academic freedom beyond higher education legislation, and add any other relevant legislative frameworks, including constitutional frameworks, as well as possibly judicial cases, on national and European level as well as eventually international complaint mechanisms, like in the case of University and College Union (UCU) UK complaint to Joint ILO-UNESCO Committee of Experts (CEART).

Mr Crosier added also the importance to rely on information not only from public authorities but also from other sources, with the suggestion of a study/work to identify what current legal protection might be missing, so to have adequate measures and make necessary recommendations

As in regard to the data from the BFUG questionnaire, it was suggested that it should be open and accessible by researchers, in order to have a new layer of verification or critical view on what has been reported, and might help in the way things are reported.

Overall, it was agreed to be broad on the approach on legislation, not just focusing on higher education legislation. Regarding the suggestion to include question on the definition of staff, it was noted that it might become too detailed to go into definitions of academic staff. Moreover, for the inquiry on working conditions, Mr. Crosier explained that there are no reliable data sources to cover this issue. The suggestion to explore issues on technology and social change to strengthen the part on public responsibility of HE was also noted to be explored more. The EUA public funding observatory would be looked into as a potential source. On the other hand, it was highlighted that because the OECD Public Funding Observatory does not cover a large number of EHEA nations, it should only be used as a guide to how issues are addressed. Further, in order to have open data, Mr. Crosier stated that it is the plan to publish the responses given by the country members for this questionnaire.

Mr. Crosier stressed the need to be pragmatic, as this questionnaire will be very extensive and members ought to be realistic about the number of and depth of questions that can be asked. It was suggested that the need for enhanced European level legislation be presented in the subsequent Communique, along with the issue of inadequate protection at the European level.

4. Session 1: Debate on "Institutional autonomy" statement

David Akrami Flores (Co-Chair) thanked all members for their comments and contributions on the statement, and presented the revised document.

It was noted that the phrasing should be revised as necessary to reflect the statement's political and policy context. Moreover, given the increased interaction between societies and institutions, the statement needs to be amended to emphasize the fact that independent HEIs are crucial for the development of society.

Discussions were focused on diverse parts of the statements and the use of correct terminology. The referring of social, economic and cultural rights was deemed important, as did adding the human rights perspective.

It was further noted that while the general framework for HEI governance should be included in the legislation, the details and composition should be decided by HEIs. It was also advised to avoid mentioning degree structures because they are governed by national legislation. Another suggestion was to avoid using the word "defense".

On the topic of *financial autonomy*, it was recommended to include 'third party money' sources as well, to have higher degree of independence. On this note, the requirement of a definition would be needed to reference all streams of funding, thus EUA suggested to provide explanatory text on the topic. It was also pointed out that some source examples mentioned might be a problem when it comes to national legislation, thus the initial text¹ could be rephrased as "*They should generally be free to allocate their funding according to their needs*".

It was advised to remove *academic autonomy* as it confounds the idea of academic freedom. In addition, *campus integrity* was advised as not fit in this statement and was identified as a term that has to be reformulated as another type of autonomy, in order to be clear and consistent with the rest of the text.

It was mentioned that the section on funding that deals with "*borrowing money, buying and owning property, and assuring its maintenance*" needs to be revised. It was also suggested that when presenting the fundamental values, a general paragraph should address the topic of *tuition fees*.

Finally, it was proposed that the WG on FV collaborate with the Task Force on Enhancing Knowledge Sharing in the EHEA Community, in order for the TF to ultimately assist in promoting the WG's work on values as well. In general, it was recommended to avoid footnotes and referencing, and to consider revising the terminology in the statements. It was also explained that there will be an overarching text for all statements to indicate the links between different fundamental values.

5. Session 2: Debate on "Public responsibility of and for higher education" Statement

5.1. Public responsibility for higher education

Sjur Bergan (Council of Europe) presented the statement on public responsibility of and for higher education, highlighting that it is a political/policy text with which ministers will need to identify.

¹ They should generally be free to internally divide and distribute their funding according to their needs.

Two kinds of footnotes were highlighted: one with very limited set of references to text that has been approved by all EHEA members through CoE recommendations; and the other set that seeks to identify issues that merit discussion in this WG.

On the third paragraph on *public autonomy*, it was noted as important that public authorities ensure that HEIs can effectively pursue this mission because it is part of public responsibility and QA. Hence rewording was suggested as follows '*HEIs to effectively pursue the missions of quality education research and outreach.*'

It was also proposed to have a reference on the importance of student and staff participation when discussing self-governance through cross reference or another method. It was also emphasized the importance of public authorities to consult and seek input on all relevant stakeholders, and underline the importance between HE community and stakeholders.

It was underlined that the statement continues to refer to qualified students when referring to access, and a discussion on the term 'qualified' was held. On the one hand, it was suggested that the statement on public responsibility use the accepted terminology from the Principles and Guidelines (PAGs) document, which refers to all candidates having access to HE including, positive measures to progress and complete their studies, as the diversity of the student body reflects the diversity of society. Another recommendation given here was to "add facility access to HE, and facilitating students on the progression and completion of their studies" in the statement. However, it was acknowledged that the specification of the word "qualified" in this context was significant, and it was decided to retain it.

On the term *substantial responsibility*, it was noted as significant to understand what is meant with ensuring provision of HE, by underlining whether it is provision of HE in all its missions including related support services that will allow and enable the HE community to fulfill these missions.

5.2. Public responsibility of higher education

For this value, discussions were focused on the text, with suggestions to edit, add, delete, change part of the text to the right nuances, suggestions that were taken onboard. Focus was given to the inclusion of third mission of HE as part of the title or in the text considering the fact of the third mission of HE not being understood the same. It was emphasized that the HE community is expected to engage in third mission activities, in addition to teaching and research.

Suggestions were made to add the code of conduct of the members of HE community when they engage in the society, specifying that, when engaged in the society as academics, they should adhere to the professional ethical and academic standards, to allow them to be involved in debate and separate between their professional and personal stance

On the term *accountability*, the following understanding was proposed: "*Public responsibility of higher education also includes the concept of accountability towards society or the outcomes of tasks and processes internal to the HE community. In order to ensure accountability of HE and of its leaderships; transparency, accessibility and independence of accountability structures should be ensured, while ensuring confidentiality and reporting misconducts and breachers in terms of duties and responsibilities.*"

A broader discussion between fundamental values and QA was emphasized to be included, through insertion in the introduction rather than the body of the statement. On a similar note, it was remarked that after all statements are finished, their use should be determined in the introductory part of the statement. The final document would also serve as an annex to the Communiqué. On this, it was inquired whether academic freedom would be introduced in this annex or just referenced.

It was concluded that the members would send written comments on the statement, and a final version would be revised accordingly. Overall, the proposed addition in the title of the value was decided to not be incorporated. The suggestion on *technology transfer* would be considered. Moreover, on the suggestion on *academic community*, it was noted that the concept for this statement is too vague, thus it was suggested to reword it as 'internal university constituencies and all other relevant stakeholders' or 'all HEIs themselves and all other relevant stakeholders'. However, it was acknowledged that there are many other actors apart from HEIs in the HE system that must be included in the scope of the statement definition.

6. Session 3: Debate on "Participation of students and staff in higher education governance" Statement

Milica Popović (Austria) provided an overview of the comments received on the statement, and

adjustments that were made as a result.

On the topic of elections, it was suggested to add the term "secret ballot" in the text², while the term "crucial issues" was proposed to be removed by only including 'issues', as well as including in this part of the text, apart from students and staff, student unions as well with regards to consultation.

It was proposed to include the involvement of student and staff in strategic objectives and implementation plans and budget of HEIs, in the text³.

When discussing the various governance models throughout the EHEA, student and staff participation in higher education governance was mentioned that it needs to be applied to all systems and all institutions within the EHEA, thus it was advised to include the term 'education system' in the text⁴.

On the topic on whether to 'encourage students and staff members to run for elections and engage in the life of the institution with a view to enhancing its democratic legitimacy and representativity', it was advised to not omit the part of the sentence, however if a concise version that includes both voting and running can be formulated, than this could be alternatively included.

A whole paragraph⁵ was proposed to be added in the end of the statement, or alternatively it was considered to be used in some other document representing the statement, as it is repeating what has already been reflected in the statement. Further, it was proposed to merge the proposed paragraph with the one on 'Degrees of participation', with the aim of indicating that the EHEA commits to the full partnership under the principle of modern collegiality. This paragraph was remarked as not well formulated, so it was advised to be revised.

Remarks were made regarding the inclusion of different staff categories, and the right to independently organize themselves to participate or even decide means of organization.

When financial independence was discussed, clarifications were needed to understand who has to ensure this. Both institutions and PA have the responsibility for supporting representative students and staff organizations financially. Overall, it was decided that a concise reference to the various staff categories would be given.

Overall, it was decided that a concise reference to the various staff categories would be given. Additionally, the word "secret" regarding elections would be excluded. Additionally, the text would be amended to reflect the fact that body organizations will be in charge of organizing elections. The principle of complete partnership and collegiality would be emphasized. The topic of financial independence would be further examined and clarified.

It was suggested that the revised statements be sent out before Christmas and the WG members have until January 20th, 2023 to provide input in order for the authors and co-chairs to incorporate the written feedback and provide the new versions in time for the next WG meeting. It was suggested that a first draft of the overarching text ought to be presented at the WG meeting in Berlin.

7. Session 4: Debate on the "Academic Integrity" Statement

Matteo Vespa (ESU) presented the first draft of the *academic integrity* statement, introducing its structure and the definitions of academic integrity and the different values. It was noted that the second and third paragraph deal with academic misconduct, and the acknowledgment of misconduct. The next paragraph discussed guidelines on how to develop skills to avoid misconduct, and on having

² Student and staff participation in higher education governance comprehends their rights to organise autonomously without interference from public authorities, governing bodies or other stakeholders, to elect and to be elected to the governance bodies in open, free and fair elections and without any discrimination, to have their views represented and taken into account, to have the right to initiate debates and table proposals in all governing bodies and actively participate in discussing and deciding on them, and to be actively included and empowered to make and to take decisions and vote on the internal organisation and administration of higher education institutions/ systems and crucial issues for higher education governance.

³ These issues extend from the freedom to learn, the organisation and content of education, curriculum design and quality assurance, equitable access to higher education, 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.

⁴ Regardless of the various governance models throughout the EHEA, student and staff participation in higher education governance needs to be applied to all systems and all institutions within the EHEA, whether public or private, for profit or not-for-profit, and at all levels of governance – transnational, European, national, regional, institutional, and departmental.

⁵ "Academic self-governance has been the defining principle of HE in Europe since its inception in order to ensure that HE remains responsive to the current and future societal challenges, as well as to fulfill its multiple missions. Student and staff participation as defined within the statement is paramount. This is reflected in the principle of modern collegiality, in partnership between the different components of academia built on a common understanding among the participants of shared responsibility and the constant dialogue between the democratically elected representatives of all the components and their respective constituencies, and the policy making and resource allocating bodies."

the financial security as well as the need for structural elements that can support and guide the correction of mistakes. Mr. Vespa continued with the first paragraph on the second page, which stated that academic integrity needs to be developed in the early stages of education. In conclusion, the last paragraph highlighted the connection between academic integrity and the other Fundamental Values.

It was suggested that the statement on academic integrity should *cover all* facets of the academic life that would mean teaching, research, governance, and outreach as one phenomena.

It was further noted to avoid any references that connect academic integrity to *funding* and *financial security*, as this may lead to possible justification of misconduct. On the other hand, there are some specificities, such as the large increase in the number of students, the increase of pressure to succeed on staff and students, the pressure to publish or perish, and other structural elements that may be considered as underlying causes of misconduct or possible incentives for misconduct, which are all potential challenges in the higher education system.

There was a broad consensus to take out the specific reference on what is regarded as the *private life* of staff, as for most members, this does not belong to the statement on academic integrity. On the other hand, few members thought that it was a sensitive and difficult issue should be handled carefully. It was suggested to have a statement that encourages and respects the right of privacy of members of the academic community, but that the universities should have processes in place which should be guided by broader principles of ethical behavior and which can identify where private acts can cross into the public domain and affect the integrity of the university.

It was proposed to remove any explicit *references to other bodies and definitions*, as most of them are mainly EU member-based associations or NGOs and might create a sense of not belonging to the rest of EHEA countries. Many members stressed the importance of maintaining only the general references on ETINED platform of Council of Europe (CoE), as its recommendations are approved by just about all EHEA members. Additionally, it was noted that the main point was to keep the same language used in CoEs ETINED platform in the recommendations that have been adopted or already agreed by all members, rather than keeping the reference to ETINED itself. It was suggested that the presence of the ETINED reference can help the platform to gain more visibility.

It was noted that the statement should not refer to *other values* in its formulation, in a document that describes fundamental values. On the other hand, the academic integrity concept is linked with other values in the academic discourse. It was suggested to refrain from using the specific term value to refer to concepts other than fundamental values in the statement, as this can lead to the confounding for the terms.

It was suggested to develop a *culture of integrity*, with a more explicit statement about the actors required for this, with a role for public authorities, academic community, etc. It was stressed that integrity is achieved through compliance, but that compliance is a little restrictive. To this point, it was recommended to broaden the scope of compliance so as include bodies, agencies and internal committees that not only comply with standards but revise and monitor the standards.

It was proposed that the statement should have a clear *structure*, as these statements are political and policy declarations to be adopted by the ministers. It was suggested that the statement should start with a definition or understanding of academic integrity as compliance, while making the positive case of academic integrity and stressing its importance. Additionally, making a case for why academic integrity is important in the EHEA, was deemed important, as was its connection to other terms like transparency and ethics. It was also advised to complete the statement with the management of the transgression and misconduct.

ENQA's input on this statement was requested, as ENQA has an academic integrity working group and they have run a survey on the issue.

8. AOB

It was proposed that the following WG meeting include a discussion on the connection between QA and FV, and ENQA was strongly encouraged to contribute in this area. It was advised that three additional WG meetings be held to finalize all of the statements. While the precise structure of the sessions would be decided later, at least one in-person meeting should be arranged. A possible agenda item to present the work of this WG may be included in the future BFUG meeting LXXXIV, however there is no firm resolution of this item at this time.

The BFUG Secretariat was requested to send the minutes as soon as possible and to prioritize this meeting, as the feedback is very important for the authors to work. The next meeting in Berlin was

confirmed to be organized in 16-17 March 2023 and the Peer Learning Activity dedicated to academic freedom on 15 March 2023. It was suggested that one part of the PLA could look at non-headline aspects of the academic freedom, and it would be important to unpack some violations that happen in all EHEA jurisdictions, but less well-known or more hidden.

The BFUG Secretariat, the Co-Chairs, and the writers would all receive feedback for the statements. In addition, it was requested that all revised statements—with the exception of the Public Responsibility statement that would be sent earlier—be submitted by early January.

It was asked to have information about the possibility to have the overarching document of introductory statement before the Berlin meeting in the middle of March 2023. The goal is to have the revised statements of the documents by mid-January to have time to work on the overarching document and send it before the meeting in Berlin, so that members can give feedback as well.