



23 March 2009  
Ref. 2008-5100-01  
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## **Evaluation – degrees of freedom**

The autonomy, or ‘degrees of freedom’, allotted to universities is one of the five areas that is now to be evaluated by a special panel. The materials for the evaluation will be prepared by the individual universities, and it is agreed that as inspiration for this work, a survey of the degrees of freedom sought by the universities in recent years will be circulated.

The memo at hand is based on two earlier papers, which have been adopted by the Danish Rectors’ Conference: "Status concerning university autonomy – March 2007" and "Considerations on simplification of regulations concerning education" of December 2008 (both are enclosed).

The debate on the degrees of freedom, and thus on the universities’ opportunity to independently take swift and/or long-term decisions, has tended to become a discussion of whether one regulation or another could be dispensed with.

But real university autonomy depends on far more than regulations. First and foremost, a major role is played by financial latitude. Secondly, the other aspect of the Janus head of "autonomy and accountability" is likewise of great importance. If large management and administrative resources are tied down to the organization of reporting and applying for research funding, it may hamper the real opportunities for strategic and visionary management of university autonomy.

Moreover, it should be noted that in most cases the wish for the restriction or elimination of regulations in a particular area would have to be somewhat qualified. In some cases, the rules certainly may be felt as constricting, but there may be no possibility of removing them without compromising the entire system of

monitoring the use of public funds, which applies to all institutions whose main income is public funds. In other cases, the regulations are simply inexpedient or excessively detailed; they could and should be replaced by other, transparent rules to ensure legal rights and prevent arbitrariness for staff and students – to be implemented by individual universities. Finally, there may be regulations that some individuals or groups at a university experience as redundant or directly counterproductive while others find the same regulations to be necessary or at least quite practical guidelines to work from.

One of the remaining problems listed in the enclosed status memo of 2007 has in the meantime been abandoned as a priority by the sector: Universities have become accustomed to the double auditing by both a private-sector accountant and the public auditors. Moreover, foreign students with a Danish university degree have now been allowed to stay in the country for six months to seek employment. Finally, new regulations restricting the state research councils' option of requiring co-financing of research projects for which they grant funds are now in place. This has superseded what universities dared hope for in 2007.

Otherwise, the view is that resolutions for the issues set out in the status memo from 2007 remain to be found, and a single issue which in 2007 seemed to be in place has now taken a reverse step: Initially, retention of the taximeter scheme for Erasmus Mundus students was achieved, but has recently been discarded.

Education, which is only cursorily addressed in the status memo, is strongly regulated. The sector's wishes for regulatory simplification of that area appear from the attached memo of 5 December 2005. In very general terms, it must be noted that the implementation of the 'arm's length' principle and a faster, more efficient system for approval of new university programmes, which the universities hoped for as ministerial approval were to be replaced by an accreditation system, are not yet in place. Furthermore, the focus on the international dimension of education shared by universities and politicians makes the Danish regulatory framework appear increasingly outdated and inflexible.

The universities, like all publicly funded institutions, are subject to the *quid pro quo* principle, which requires a thorough scrutiny of public spending. In the university sector, this principle is questioned by no one. What is being questioned is merely whether it is necessary to check and/or target every activity both before (ministerial orders, accreditation criteria, strategic research programmes), during (by boards, supervisory bodies, development contracts) and after (evaluation, auditing, special assessments) implementation.

The degrees of freedom that the universities have jointly proposed for implementation in their sector essentially appear from the two enclosures. Given in summary, the following areas are concerned – which, according to conditions at the individual universities, may be experienced as more or less essential:

**Economy**

No equity. Cap on management salaries. Many funds tied down to co-funding or granted piecemeal from various sources.

**Research**

Much time spent writing applications. Many funds donated over quite long periods. Research on and the development of politically opportune areas enjoys disproportionately large attention.

Conditions concerning research-based services to authorities and the necessary basic research for this are not satisfactorily resolved.

**Study programmes**

Accreditation of faculties or institutions rather than of individual study programmes. Need for greater freedom to decide on enrolment and exmatriculation and to organize exam formats, credit transfer, flexibility concerning bachelor and master degrees, appeals procedures, etc.

Need for regulatory coordination between areas involving the Ministry of Science and the Ministry of Education.

**Internationalization**

Danish regulations prevent the international marketing of Danish study programmes, the establishment of regular joint degrees, and Danish universities' participation in Erasmus Mundus programmes. Accreditation should render superfluous the many regulations aimed at ensuring quality in the programmes that universities offer internationally, whether independently or in collaboration with foreign universities.

Enclosures: Status of university autonomy – March 2007  
Considerations on simplification of regulations concerning education – December 2008



23 May 2009  
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## **Status concerning university autonomy – March 2007**

The background for the university settlement of 2002 and the subsequent university act of 2003 reflected a desire to strengthen the universities' autonomy and to charge university leaders with greater responsibility for the development of universities that would be able to match the demands posed by the knowledge society and globalization. The general comments on the draft bill thus state that "Strengthened management must be combined with greater freedom from central state control – especially concerning education".

Both the objective to raise investment in public research to 1% of GDP and the ambition that increasing numbers of young people complete tertiary education led politicians to recognize the need to allot more funds to the universities. For a majority of politicians, the establishment of a professional management structure capable of taking charge of each university's strategic development and resource allocation was a natural precondition for larger appropriations for universities.

The universities, for their part, have attempted to build on the internationally applied concepts of "autonomy and accountability" to describe their ideas of how management could achieve greater latitude while allowing society the best possible insight into university activities and results. According to this line of thinking, managerial freedom and autonomy of choice as to how to meet the overall objectives go hand in hand with an open presentation of the decisions and priorities made. In practice, one of the ways in which this openness is achieved is by means of the universities' development contracts with the Ministry of Science, which are subsequently published. Furthermore, the universities' statistical departments have provided a basis for publishing a wide range of key figures on the Danish university sector.

The division of labour between politicians, who, as representatives of the voters

and taxpayers, have a legitimate interest in ensuring that universities are spending their appropriations sensibly, and the universities' responsible management with its professional and strategic responsibility for university development and problem-solving has also been described as an aims/means chain, that is a division of labour in which politicians draw up a series of overarching objectives, which universities subsequently fulfil in a way that their professional insights lead them to believe best meets the purpose. In this connection, it should be borne in mind that the management of universities concerns not only the effective management of resources or optimisation of the solution of routine tasks. Experience from abroad has shown that the best universities enjoy a very large degree of financial and managerial freedom to shape the conditions for excellent research and innovative education.

In the wake of the adoption of the University Act of 2003, Danish university managements' opportunity to exercise managerial decision-making has, however, not been particularly enhanced, even though both the political settlement text from 2002 and the draft bill of 2003 emphasized the need to allow universities further degrees of freedom.

Below, the status in achieving or maintaining the independence of universities are discussed for each of the key areas that formed the basis for the Danish Rectors' Conference policy paper of February 2006. However, it should be noted that the areas and problems listed here should not be perceived as a complete and exhaustive overview.

## **1. Funding and control**

### Accomplished or in the pipeline

At the political level, understanding has been established for the need to ensure that the funds provided as basic funds are not eroded by requirements for co-financing of external research grants. It is understood that proposals for a concrete implementation of the desire to provide matching funds for EU funding is under way from the Ministry of Science. There are also indications suggesting that a certain understanding of the necessity of ensuring full-cost funding of research is formed.

Understanding has been established for the need of the government to make a pledge proportionate to the holiday pay commitments that have burdened universities' equity since they became autonomous bodies. However, no proper appropriation for disposition, but rather a balance sheet item, seems to be involved.

Furthermore, there is a resolution among politicians that, in the years to come, appropriations for research at universities will be markedly increased. Assuming that a significant portion of these additional funds are allocated directly to the universities, they would contribute to giving university managements a better

chance of shouldering their responsibility for long-term and strategic decision-making.

#### Unresolved

As part of its efforts to secure financing of the political settlement concerning the police force, the Ministry of Finance has decreed savings to be accomplished through increased efficiency in purchasing for all state institutions. The intention seems to be that universities are involved in such measures, irrespective of their autonomous status and of the signs that the actual effect of the purchase agreement appears to be negative.

#### Remaining

The attempt to provide the initial capital that might have given the Danish universities actual freehold proved unsuccessful. One problem has been that a definition of the conditions for a projected transfer of the buildings has so far not been achieved. Thus the size of equity funds does not match the financial risk involved in the universities' external projects.

## **2. Auditing**

#### Accomplished

For the start-up period, an acceptable compromise has been reached with the ministry and the public auditors (Rigsrevisionen) concerning a ministerial order on financial statements. For the sake of renewal of accounting principles, however, a transition to the regulations prescribed by the Danish Financial Statements Act is recommended.

#### Remaining

Notwithstanding that each university has a private auditor, who is elected by their boards, they remain subject to the public audit. In practice, this leads to double auditing, which is neither necessary nor expedient.

The choice of accounting principles that the boards believe to give their university the most accurate accounting is still out of the hands of the same boards.

The universities are still subject to the Danish state self-insurance principle and are thus prevented from taking out any insurance that they deem necessary, such as travel insurance.

## **3. Management structure**

#### Remaining

The number of top management positions (according to the pay grade system) at the universities is determined centrally; it has thus proved extremely difficult to achieve acceptance of new positions such as pro-rector or deputy to the director, in spite of strong university arguments for such positions. It seems inexpedient

that decisions on universities' internal organization should in practice be taken by officials in the central administration. Furthermore, the ministry's reluctance to give university chairmen full responsibility to determine the extent to which rectors may hold positions in public limited companies has caused surprise.

As yet, the political or administrative levels seem to have no understanding that a professionalization of university management would imply that the remuneration of hired managers should follow market levels – or at the least reflect the level of remuneration of executives with similar responsibilities in other public sectors. Nor has an understanding been achieved that the assessment of what would constitute an adequate compensation in relation to the demands made should be taken by the leadership responsible for ensuring that universities deliver the results expected.

The ministry has also set very strict regulations for the payment of university board members' fees. The rules cover not only fee sizes, but also detail their instalments.

#### **4. Study programmes**

##### Accomplished

Universities have sought to have the ministerial responsibility for approval of new study programmes transferred to an accreditation body. The body is now under way, although it still seems unclear whether the accreditation council's composition and independence will ensure sufficient professional authority and independence from the ministry when university applications for new study programmes are considered.

##### Remaining

Universities have sought greater responsibility for the organization and implementation of study programmes, and for the admission of suitable and motivated students.

This responsibility has not been transferred to universities. On the contrary – against the universities' recommendations – more detailed requirements for admission to a range of study programmes have been implemented, while at the same time Quota 2 has been diminished so that the universities' opportunity to select suitable and motivated students has been significantly reduced.

Likewise, a focus on shorter completion time and lower completion ages has generated a large number of proposals for codification of ideas for specific and detailed control mechanisms deemed expedient by politicians or administrators, notwithstanding that this would entail quite detailed regulation of the universities' task of organizing teaching and testing. For example, efforts are made to ensure students' entitlement to supervision, while the universities wish to offer supervision to those who need it, which would seem most expedient when re-

sources are considered. Regulation on the organization of Master's thesis work and exam dates has likewise been proposed.

## **5. Internationalization of educations**

### Unresolved

Political preparedness to reimburse tuition fees for Danish students studying abroad may ultimately result in imbalances affecting the supply of highly skilled workers in Denmark. This could possibly be prevented if support for an appropriate marketing of Danish universities and more flexible immigration policies were established. A problem involved here is to secure Danish students better opportunities for bringing a spouse or partner back to Denmark. Moreover, an increase in the number of scholarships for talented foreign students and a more flexible use of those grants would support universities' efforts to ensure that globalization does not lead to a future lack of high-skilled labour for jobs in Danish enterprises and the public sector.

There seems to be political consensus on granting six months of residence for job seeking here to foreigners who have taken a university degree in Denmark.

An understanding that the Danish regulations concerning joint degrees are inexpedient and that they should be changed has eventually been established.

### Remaining

It remains difficult to harmonize the Danish regulations for awarding joint degrees with the conditions on which such partnerships are ordinarily based. Rather than leaving the organization of the joint-degree collaboration to the universities, detailed regulations have been proposed centrally. As these regulations have been developed without regard to actual conditions in the field, they are in effect a hindrance to international co-operation.

Universities' agreements with foreign universities on joint study programmes continue to depend on the ministry's approval.

The manner in which the taximeter funding for students from countries outside the EU/EEA was abolished was so inept that, for instance, the children of diplomats and scientists working in Denmark have been affected. This would have to be changed if Denmark and Danish companies are to be able to attract highly educated workers from for example the US.

In contrast to other European countries, Denmark does not support international students. Tuition fees are therefore very large, and grants for this group of students are few and inflexible.

## **6. Staff conditions**

### Accomplished

The latest job structure takes into account universities' wish for a single job structure, which – even after the merger with sector research institutions – applies to all scientific staff.

The job structure is the result of negotiation with staff associations and thus represents a compromise. In consideration of the space needed for management and the flexibility required by universities, regulations are still unnecessarily detailed.

## **7. Buildings**

### Remaining

The terms of any takeover of university buildings remain unknown.

Conditions likewise remain to be defined for a possible takeover of the buildings in which the recently merged sector research institutions are located.

Universities thus continue to be obliged to work through the SEA (the state property agency) scheme, a situation that may appear protracted and that impedes swift manoeuvring among research areas. Generally speaking, building grants cannot cover the renewal of premises and labs for technology and for the natural and life sciences.

*The Danish Rectors' Conference, March 2007*



18 November 2008  
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WM/RA

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## **Considerations on simplification of regulations concerning education**

In 2007, the Minister appointed a working group with representatives of Universities Denmark whose task it was to consider simplification of rules for universities. The regulatory committee did not consider regulations concerning education. The Minister has expressed that this should be done as soon as possible.

The Danish Rectors' Conference has decided that a process will now be initiated for the purpose of proposing a draft for the simplification of regulations concerning education.

### **Objectives**

Overall, the regulations concerning education must meet the following objectives:

1. Ensure that society (businesses, organizations, the public sector, students, tax payers, etc.) receives the highest possible level of quality for the money invested in education.
2. Ensure that there is wide scope for creativity and initiative enabling the universities to continuously develop and adapt to requirements for offering modern programmes of education.
3. Ensure transparency and protection of titles, degrees and authorizations.

4. Ensure the civil rights of students.

5. Enable efficient and non-bureaucratic administration.

6. Ensure that Denmark is able to participate in international co-operation in the education area.

It should be noted that these objectives will not be fulfilled by regulations concerning education only. Firstly, a number of other factors contribute to ensuring quality – e.g. management structure or striving for prestige. Secondly, a number of general rules apply also to education (e.g. in the Danish Public Administration Act), and these need not be duplicated for the education area.

Thus, it is important that the considerations on regulations do not result in a description of every detail. As much as possible should be decided locally and professionally.

Internationalization affects the establishment of regulations concerning education. Students and researchers move across borders, which must be considered when establishing Danish rules. At the same time, internationalization also means a higher degree of competition as more alternatives become available to students. Therefore, it is important to ensure flexibility for universities in order to enable them to offer internationally attractive study programmes.

It is well known that simplification of regulations is important to ensure professional quality and flexibility. It is also well known that simplification of regulations will often save administrative resources. However, fewer regulations are also of great importance to international co-operation. When competing for participation in the best international networks, it is an advantage not to require that a number of special national regulations be considered. A flexible university is a convenient and thus attractive partner, whereas a university in a small country is often avoided if it has to insist on forcing special rules upon its partners.

### **The problem**

A preliminary hearing in the universities has shown that complex sets of regulations exist in the education area and that simplification of regulations is not achieved by merely eliminating a regulation here and there. It has been pointed out in several cases that the regulations have developed by proliferation over the years, and e.g. rules on exmatriculation and counselling of students at risk of dropping out are found in the Admission Order. A number of regulations have become obsolete or complicated, and it is difficult to form a complete overview of the regulations. Thus, apart from the need for updating regulations, there is also a need for restructuring the corpus of regulations. Although the process has not yet been fully completed, the implementation of a comprehensive Ministerial Order on Bachelor and Master's Programmes in Universities is an example of a successful restructuring that has made the area clearer. A special problem that

has been pointed out by several universities is that regulations made by the Ministry of Science, Technology and Innovation and those made by the Ministry of Education have not been co-ordinated. Apart from the practical problems involved in having to distinguish between two different systems, it also appears very strange that regulations concerning civil rights (e.g. time limits for complaints) should be different depending on which Ministry has issued the regulation.

We have divided our considerations on regulations into the following areas, which will be presented below:

1. Regulations on study programmes
2. Quality control
3. Regulations on admission
4. Regulations on examinations, external examiners, etc.
5. Right to complain
6. Internationalization of study programmes
7. Payment for certain study programme elements
8. Relationship with the Danish Ministry of Education

### **1. Regulations on study programmes**

It is of great benefit to the universities themselves to offer attractive study programmes of high quality and provide a good environment in which students get a positive result out of their studies – including that they are able to complete the study programmes within the time specified. It is of great importance to the financial situation and reputation of every university how these tasks are handled. Unfortunately, highly detailed rules for study programmes often interfere with the efforts of the universities. Also, seen in an international perspective, the Danish Parliament has introduced very strong financial encouragements in order to reduce drop-out rates and completion times. Therefore, it appears of little practical value to make precise rules for the achievement of these objectives (e.g. in the form of time limits, certain types of obligatory counselling, etc.).

There are several areas in which it would be appropriate to simplify the rules and give the universities a higher degree of freedom to achieve the objectives of society:

- The full consequences should be taken of the establishment of an Accreditation Agency. This renders it superfluous for the Minister to approve individual study programmes, and therefore Section 4 of the Ministerial Order on Bachelor and Master's Programmes in Universities should be deleted. Determining taximeters and potential admission limitations will remain a political decision, but apart from this, approval appears to serve no purpose that is not already covered by the accreditation process.

- The 3+2-year structure has been implemented in such a way in Section 9 of Chapter 3 in the Ministerial Order that *less* flexibility for the study programmes has resulted. Completion time might be unnecessarily extended for students who lack a few ECTS credits in order to complete their bachelor programme. It would be natural to let the university decide whether or not a student should be admitted and allowed to 'catch up' the remaining ECTS credits. If this point should still be regulated in detail in the Order, one potential solution would be to lower the admission requirements to the master's programme to a certain number of ECTS credits on the bachelor programme, e.g. 160 ECTS.
- Chapter 5 of the Admission Order stipulates highly detailed requirements for counselling of students at risk of dropping out. Firstly, requirements for counselling of students during the study programme should not be included in the Admission Order. Also, the requirements are highly detailed, whereas the universities should be offered a higher degree of freedom to structure counselling and other initiatives aimed at reducing completion times in order for these to be appropriate for individual universities and the circumstances of individual students.
- Pursuant to Subsection 2 of Section 5 of Chapter 5 of the Ministerial Order on Bachelor and Master's Programmes in Universities, a university may determine rules for the time limit within which a student must complete his or her study programme, and pursuant to Section 37 of the Admission Order, a university may exmatriculate a student after two years' inactivity. As a result of this, the university has no potential sanctions towards students who are inactive for two years. Instead, it should be left to the university to determine reasonable rules concerning student activity and to implement such rules through sanctions – of course observing rules on number of examination attempts, re-examination due to illness, etc.
- The descriptions of individual study programmes in Chapters 4, 5 and 6 of the Ministerial Order on Bachelor and Master's Programmes in Universities should be revised in the light of accreditations and Danish University and Property Agency approvals as there are incongruities.
- It is a case of micro-management when the proportion of traineeship as part of the BA programme in journalism has been stipulated as a specific number of ECTS credits (Section 15 of the Ministerial Order on Bachelor and Master's Programmes in Universities). Study programme curricula should determine whether or not a programme should include an obligatory traineeship and, if so, how many ECTS credits should be obtained from the traineeship.
- As a starting point, credit transfers should be based on an academic evaluation. Section 72 of the Ministerial Order on Bachelor and Master's Programmes in Universities may be trimmed to include only an academic evaluation. It should be left to the individual university to decide if e.g. credits obtained for theses should be transferable.

- It would be natural to extend Ministerial Order no. 682 on Certain Master's Programmes to cover the 18 master's programmes that date from before 2002.

## **2. Quality control**

The universities support the idea that approval and quality control of study programmes should be carried out by an independent accreditation body.

The system will need to be evaluated on the basis of experience, but we are already now very worried that the reporting requirements are so detailed and comprehensive that there is a risk of draining the system of resources and that the consumption of resources will be out of proportion to the benefits obtained.

A dialogue has been held with ACE Denmark and the Accreditation Agency on how to structure the process, and much effort has been made to reduce the workload. However, it may already now be concluded that an incredible amount of report writing is involved – both in the universities and at ACE Denmark – and thousands of pages are prepared.

A considerable number of quality documentation staff have been employed in the universities, and when accreditation is running at full scale, the workload will increase further and will reach an indefensible level. Therefore, changes are required. The Accreditation Agency is working largely within the framework that has been set out, so it should be considered very quickly if the Order should, as a minimum, be revised:

- Firstly, the criteria for accreditation should be reduced and simplified.
- The other possibility that should be examined is whether it would be possible to design a model that would not require accreditation of several hundred study programmes each year. For example, based on statistical data or the assessment of the Accreditation Agency, it might be possible to only make investigations involving documentation, visits by panels, etc. on selected study programmes. Universities Denmark believes that institutional accreditation (faculty accreditation) is the only right and proper solution if the Government is serious about the idea of self-governing universities. This is also the trend of the development in the rest of Europe. Institutional accreditation means that if an institution (a faculty) is able to document that it fulfils a number of criteria – not least including that its mechanisms of quality control function well and are documented – the institution may achieve 'self-accrediting' status, i.e. be allowed to accredit its own study programmes. It might be a possibility to provide statutory basis for introducing trials involving this form of accreditation.
- Finally, it should be made possible for relevant international accreditations to replace a Danish accreditation.

### **3. Regulations on admission**

The regulatory changes that have occurred in recent years have resulted in tighter control of university admissions. The universities have little influence on specific admission requirements, distribution of students according to quota, and the possibility of conducting admission tests, interviews, etc. In this area, it would be practical if responsibilities and competencies go together: The universities are responsible for bringing students through a programme of higher education at an advanced academic level, and therefore they should also have the competencies to decide how best to evaluate and select the most qualified applicants. In the area of admission, it is particularly true that the university has a self-interest in terms of quality and security, making detailed central control superfluous – and at worst a barrier to admitting a sufficient number of qualified young people to university study programmes.

At the same time, however, the universities are conscious that it is an advantage to have a common admission system, in which similar admission requirements apply to similar study programmes. This ensures transparency for applicants. The universities also recognize that it is valuable to have a common application procedure through KOT (the Co-ordinated Enrolment System).

Finally, the Admission Order includes a number of rules unrelated to admission, e.g. rules on exmatriculation and counselling of students at risk of dropping out.

Within the framework of Universities Denmark, a working group has been appointed for the purpose of specifically examining potential simplification of the Admission Order. The findings of this group will be forwarded to the Ministry as soon as possible.

### **4. Regulations on examinations, external examiners, etc.**

When a student takes an examination and his or her work is evaluated, a highly complex mixture of regulations is involved.

First and foremost, it would be desirable to combine all examination regulations in *one* comprehensive examination order. Currently, examination rules are divided among the Examination Order, the External Examiners' Order, the Order on Bachelor and Master's Programmes in Universities and potentially also the Grading Scale Order. In the Order on Bachelor and Master's Programmes in Universities, particularly the descriptions of requirements to bachelor projects (Subsections 5-6 of Section 16) and master's theses (Subsections 3(1) and 5-7 of Section 21) should be transferred to an examination order.

Secondly, the very detailed stipulations certainly do not increase the academic quality of study programmes but rather create rigidity and unnecessary bureaucracy. The academic environments should instead be given a higher degree of freedom in relation to examinations, including:

- The possibility of conducting group examinations (abolition of the prohibition in Section 3 of the Examination Order).
- The possibility of deciding on the proportion of a study programme to be documented by examinations involving an external examiner (abolition of the requirement of at least one-third of a study programme in Subsection 4 of Section 5 of the Examination Order).
- Freedom to decide details for part examinations and the evaluation thereof (abolition of the detailed rules stipulated in Sections 15-16 of the Examination Order).
- Freedom to decide on re-examinations and the forms thereof (currently detailed rules apply, cf. Section 18 of the Examination Order).
- Better opportunity for the universities themselves to regulate first-year examinations (currently, highly detailed regulations apply, cf. Sections 22-25 of the Examination Order). This would enable the university to integrate the first-year examination with the university's general regulations concerning exmatriculation due to student inactivity.
- Simpler rules for shortcomings of an examination (Sections 29-30 in the Examination Order) that would bring the rules more into line with the regulations within the area of the corresponding examination order from the Ministry of Education examination order (Sections 42-43 in the Ministry of Education examination order). In the order from the Ministry of Education the same principles apply, but it does not describe in detail who must do what and when.
- Despite the good intentions, procedures for examination enrolment should not be determined by the Ministry. Thus, the rules on automatic examination enrolment should be deleted (currently stipulated in Section 27 of the Examination Order).
- As regards requirements to bachelor projects, the clause '*...which reflect(s) the main subject(s) of the study programme*' in Subsection 5 of Section 16 of the Ministerial Order on Bachelor and Masters' Programmes in Universities should be deleted. This regulation is unnecessary; the Board of Study for the programme must be responsible for the relevance of a bachelor project to the study programme. The Ministry interprets this rule too narrowly e.g. in relation to basic programmes. The universities consider it important that there is scope for e.g. bachelor projects on topics that span several main subjects.
- As regards master's theses, it would be practical to ensure that the universities have a general authority to determine rules, including:
  - More flexibility in determining the ECTS rating of the theses (currently, master's theses are rated at 30 ECTS, cf. Subsection 1 of Section 21 of the Ministerial Order on Bachelor and Master's Programmes in Universities).
  - The location of the thesis in the course of the programme (currently, it is a requirement that the thesis must be placed at the

end of the master's programme, cf. Subsection 5 of Section 21 of the Ministerial Order on Bachelor and Master's Programmes in Universities).

- Time limit for submission of master's thesis (currently there are detailed requirements to the time limit, cf. Subsections 6-7 of Section 21 of the Ministerial Order on Bachelor and Master's Programmes in Universities).
- Sanctions in connection with non-compliance with time limits, etc. (currently stipulated in Subsection 3 of Section 27 of the Examination Order).

### **5. Right to complain**

The current procedures for complaining about various circumstances related to a study programme are confusing. Students may e.g. complain to the Danish University and Property Agency, to an appeals board (cf. Subsection 2 of Section 45 of the Examination Order), to the Credit Transfer Appeals Board (cf. the Ministerial Order on Credit Transfer Appeals Board) or to the Qualifications Board (Ministry of Education Order on Qualifications Board).

Furthermore, the Danish complaints system is very costly. Students can complain about anything, and while the universities for their part spend much time and many resources on dealing with complaints, it is usually cost free for students. Complaining does not cost anything, and there is not even a risk that re-evaluation might result in a lower grade. The regulations on complaints lack balance between the rights and obligations of individual students.

Finally, it is a problem that the time limits are different in a number of cases.

It would be practical for students as well as universities if the procedure for complaining is simplified. This might be achieved in two ways:

Either regulations on complaining could be incorporated in one order which would apply to the entire university and which would contain simple and standardized rules for academic and legal complaints, respectively – or the principles of the right to complain could be described (e.g. that students have a right to demand 're-evaluation' of academic work), but it would then to a larger extent be left to the university to determine a concrete set of rules. This corresponds to the situation with regard to cheating at examinations, where the universities currently determine the procedures themselves. This allows some difference between the universities but has not – as far as we know – caused any problems in practice. On the contrary, this has resulted in closer attention and more responsibility in relation to the rules applied.

It might also be considered if a more decentralized determination of rules could be supplemented with a student 'ombudsman'. Such an arrangement might constitute a useful supplement to a local set of rules. Such an arrangement is cur-

rently being tested; however, this is an issue that does not require central government regulation.

Finally, time limits for complaining should of course be harmonized. It is impractical that the two ministries have not harmonized this area as a minimum. It should be noted that different time limits for complaining in different institutions do not represent a major problem (it is of little importance to a physics student that he must write a complaint within one week, whereas a nurse has eight days to do so). However, it is an administrative and pedagogical problem if differences exist within the same institution, e.g. between civil engineering students and engineering diploma students.

## **6. Internationalization of study programmes**

When universities in several countries co-operate on study programmes, it is often a considerable challenge to make many national regulations come together as a whole. Compared to other countries, there are many rules for higher education in Denmark. As a result, Danish universities often experience almost insurmountable barriers when trying to participate in international educational co-operation. In this area, the universities in countries with few and simple rules come out on top; they are flexible and attractive partners.

In particular, the order on parallel and joint degrees does not live up to the requirements made by internationalization to the universities. The order was written based on the assumptions that young people would generally be educated in their home countries and that internationalization is an exception requiring special control measures, permits, special considerations concerning travel expenses, etc. These assumptions *no longer* reflect reality. Many young people expect to be offered study programmes with international content, and they are prepared to accept the challenges connected with this. Society should also expect that the universities co-operate with the best possible partners, regardless of whether these are located in Denmark or abroad. A ministerial order on internationalization should encourage international degrees and collaborations, not limit them.

There are a number of concrete problems:

- The requirement that one-third of the study programme should be completed in Denmark is unsatisfactory and is not integrated with the usual semester structure. Naturally, part of the study programme must be completed in the Danish university, but the universities are quite capable of setting limits for what they will approve.
- The distinction in the order between “parallel” and “fælles” (common) and degrees is unknown internationally and is based on the idea that the quality of a programme depends on whether the same study programme is available in a ‘purely Danish version’. Study programmes are never quite identical as a stay abroad hopefully always contributes something

different, and it is irrelevant if the study programme formally contains the same programme elements.

- The procedure of ministerial approval of joint degrees in accordance with certain special rules is unwarranted.

It might therefore be considered if the order should be completely abolished and if co-operation with foreign partners should in future be handled through either credit transfers or a general permission in the Ministerial Order on Bachelor and Master's Programmes in Universities.

In the universities' view, only the following rules are required in relation to joint degrees and double degrees:

- The quality must be (at least) at the same level as a Danish university degree. This must be documented by accreditation in Denmark or another country.
- EU citizens must not be charged a tuition fee for programme elements completed in Denmark. Similarly, foreign rules on payment etc. for programme elements completed abroad must be followed. It is expected that Danish students will have substantial parts of their costs covered partly by the Danish state education grants (SU) and partly by a scholarship for study abroad.
- A substantial part of the study programme must be completed in the Danish university.
- The student must follow the regulations on education, examinations, etc. in the country responsible for the study elements in question. In Denmark, Danish regulations must be followed; in Spain, Spanish regulations must be followed, etc.

It should be emphasized that joint degrees is a very important element in the co-operation with foreign universities. Closer co-operation might naturally be supported by a formal joint degree.

The universities' efforts at internationalization are also complicated by rigid regulations in the Admission Order. The stipulated admission requirements are often inapplicable to foreign qualifying examinations, and this represents an obstacle to attracting and admitting foreign students. Centralized regulations on the admission of Danish bachelor students may be useful in ensuring a transparent and quick admission procedure. However, in the case of foreign students from third countries, centralized regulation makes very little sense, and it is necessary for the Danish university to be able to act flexibly and quickly in order to attract the best students. The only point that should always be observed by the universities is that foreign students must not occupy places that would otherwise be filled by Danish students with better qualifications. In practice, this requirement will be simple for the universities to observe.

- We propose that the university be allowed to decide on admission of foreign students and that the universities determine their own procedures in this connection. The only requirement should be that they are qualified and that Danish students with better qualifications are not excluded from being admitted due to the admission of foreign students.

Scholarships for study abroad should also be mentioned. In connection with these, the universities are obliged to guide and administer students concerning study programmes in 'foreign' institutions. Such students often have no relationship with the guiding institution. The administrative burden involved in this appears unreasonable – and redirects resources from guidance and administration of the university's own students. This task should therefore be identified and financed and should be located elsewhere than in the universities.

### **7. Payment for certain study programme elements**

The Ministerial Order on payment for certain study activities introduced in connection with the Act on Active Employment Measures, etc. has great potential if simplified.

Administering in accordance with these rules is very complicated. Although the rules apply only to a few students, the universities use disproportionately many resources on charging and collecting payment from a large number of involved parties and subsequently document these measures.

The Order is supposedly meant to ensure that the referring unit pays for the students referred, thus preventing profit considerations. Although this purpose may be sensible in principle, the question is whether the idea of administering exact justice has been taken too far in this case. This is a minor activity, and it would be much simpler to finance these students in the same manner as all others.

- We propose that in connection with active employment measures, students should be financed via the ordinary taximeter system.

### **8. Relationship with the Danish Ministry of Education**

It appears insurmountably difficult to co-ordinate rules between the two ministries. Simple matters such as time limits for complaints are different – even though the universities have proposed harmonization at every single hearing. The following examples could be mentioned:

- Different requirements as to the proportion of examinations with internal and external examiners.
- Different rules on whether or not examination complaints and appeals might lead to lower grades than the grade awarded at the original examination.

- Different rules on whether or not the institution in question should make a decision if an examination complaint has been presented to the examiners.
- Lack of clarity concerning the handling of cheating at examinations, etc. in the examination order from the Ministry of Education in relation to the stipulations in the University Act that the institutions should determine these rules themselves.
- Incompatible rules on the body of examiners.
- Different rules on the rounding up of pass grades in the orders from the two ministries.
- Differences in the orders from the two ministries concerning free places with grants for living costs.

The problem could be minimized if HD (the Danish Diploma in Economics) and the Diploma in Engineering are transferred to the area of responsibility of the Ministry of Science, Technology and Innovation. The extensive requirements concerning equipment and research-based teaching has led to these two programmes being currently offered predominantly in universities, and as both of these programmes are strongly research related, it seems natural that they should be transferred to the Ministry of Science, Technology and Innovation.

*The Danish Rectors' Conference, 18 November 2008*