



Ombudsstelle
für Studierende

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Tätigkeitsbericht der Ombudsstelle für Studierende an den bzw. die gemäß Bundesministeriengesetz 1986 idgF zuständigen Bundesminister bzw. zuständige Bundesministerin und an den Nationalrat 2016 /17

(vorgelegt am 15. Dezember 2017 gemäß § 31 (7) des Bundesgesetzes über die externe Qualitätssicherung im Hochschulwesen und die Agentur für Qualitätssicherung und Akkreditierung Austria / HS-QSG, BGBl. I Nummer 74 /2011 idgF)

Summary

Annual Report of the Austrian Student Ombudsman 2016/17 submitted to the Austrian Minister for Education, Science and Research and to the Austrian Parliament

As required by Paragraph 31 Subsection 7 of the Austrian Act on Quality Assurance in Higher Education 2011 the Austrian Student Ombudsman (SO) at the Ministry of Education, Science and Research is required to submit its annual report (AR) to the Minister and to Parliament each 15 December.

The full report for 2016/17 (only in German) is available on the Parliament's website under www.parlament.gv.at/PAKT/VHG/XXV/III/III_00331/index.shtml and on the website of the Student Ombudsman under www.hochschulombudsmann.at with identical wording. This document is an executive summary in English.

The report covers the period from 1 September 2016 to 30 September 2017.

- **Subject of Report and General Statistics:**

The subject of the report is the Student Ombudsman's observations regarding the issues submitted to it under its statutory remit relating to courses, teaching, exams, services and administration at institutions of higher education in the Austrian Higher Education Area.

These institutions of higher education comprise public universities, private universities, universities of applied sciences, teacher training universities, the Danube University Krems, the Diplomatic Academy of Vienna and the Institute of Science and Technology Austria.

The issues addressed were submitted to the Ombudsman by individuals applying to or interested in courses of study at such institutions, by current students and by former students.

The number of students at all categories of institutions (with varying cut-off date(s)) totals 408,840 in the 2016/17 academic year. The ombudsman is also in charge of international students.

The number of applicants, for study programs insofar as it can be ascertained totalled:

58,149 at universities of applied sciences (multiple applications possible!)

There are no online figures available for applicants at public universities and teacher training universities.

7,344 there were applicants at private universities.

- **Cases in Figures:**

As in the past, there was an increase in the number of issues submitted to the ombudsman as deadlines laid down by law, regulations and institutional rules approached, i.e. in September, when admissions of new students to public universities end and the final results of selection procedures are announced at the universities of applied sciences, in November when the extended deadline ends at public universities and also around the closing date of submissions for applications for support schemes and grants.

- **Cases by Gender: 48% of issues were raised by men, 52% by women**

74% of issues were resolved positively between the Student Ombudsman and the party submitting the issues or information was given regarding the issue raised; in 5% of issues, investigation showed that the Student Ombudsman has no jurisdiction to deal with the matter, in 8% of issues, the party submitting the issue did not give permission for the Student Ombudsman to pursue the matter further. In 13% of issues, it was not possible to find a solution.

In correlation to the total number of students at each type of institution,

55% of issues concerned public universities,

10% universities of applied sciences,

4% teacher training universities,

1% private universities

- **Cases by Topics:**

In overall statistical terms, the issues raised in the reporting period concerned:

106 conditions relating to courses of study

88 admissions to a course of study

70 support schemes and grants

65 “other” issues

42 recognition / of examinations and course work

38 tuition fees

29 academic work

28 grants

20 annulment of admission / expulsion from a degree programme

20 academic degrees

The frequency with which particular issues were raised varied according to the type of institution (see statistics on p. 74 ff.)

- **Description of Cases:**

As in the Annual Report 2015/16 genuine issues have been included in the Annual Report 2016/17 and a report on the results provided. The laws which have to be considered are each presented at the beginning of the case studies. A total of 14 cases were described concerning the following issues:

- issuing a Diploma Supplement also for continuing education courses (pursuant to § 56 Universities Act)
- supplementary examinations in letters of admission to a public university
- refusal of a maintenance grant on the grounds of detrimental periods of prior study
- using the title PhD / Dr. and registration of an academic degree by graduates (of public universities)
- withdrawal from the education contract due to the illness of a child (at a private university)
- protection of the intellectual property of persons studying (at a public university)
- lack of documentation for an examination (at a teacher training university)
- refunding of tuition fees on the grounds of serious illness (at a university of applied sciences)
- loss of assessment documents for courses (at a public university)
- no overall grade on a Bachelor certificate (at a university of applied sciences)
- activities of a religious nature (at a private university)
- sexual harassment of a student by a teacher (at a public university)
- mobility grant for children of migrant workers
- Admission test to an “other course within the framework of a continuing education programme on the free market” within the framework of a company within the meaning of § 10 Universities Act (at a public university)

<p>Proposals Made to the Governing Bodies and Members of the Institutions of Higher Education and to Lawmakers</p>

Again as in previous years, the Annual Report 2016/17 also contains a number of suggestions addressed to the governing bodies or members of the higher education institutions or to lawmakers and others.

A total of eleven suggestions were made to lawmakers:

- To broaden the scope of financial support for periods of study abroad to include students at from Austrian private universities.
- Statutory expansion of mobility grants post Brexit to include the United Kingdom;
- Requirement that the student does in fact study at the seat of the foreign higher education institution to which he or she has been admitted
- Award of mobility grants by means of a decree.

- Invitations to apply for scholarships to be published at all universities of applied sciences and at private universities in a procedure similar to the announcement in the official bulletin at public universities.

- In cases where the recipient of a grant has had a lengthy period of employment prior to studying, any previous periods spent studying other subjects should not be taken into consideration (prompt award of a grant upon commencement of a new course of study).

- Amendment of the existing provisions of the Austrian Universities Act-(UG) along the lines of Article 67 of the Bavarian Higher Education Act - holders of the academic degree Doctor of Philosophy (Ph.D.) awarded by an accredited Austrian institution of higher education should as an alternative be permitted to use the title “Dr.” .

- If the minimum number of applicants for study places is not reached (§ 71c Subsection 5 last sentence UG) - also not with applicants who are registered for a corresponding degree at a different university - the university should be permitted to admit applicants even if they are not already registered for a corresponding degree programme at another university until the number laid down for a degree programme has been reached.

- Deletion of both Subsection 2 and Subsection 3 of § 65 UG, as these clauses contradict one another and the first clause would appear to suffice.

- Deletion of § 61 Subsection 3 UG so that the general admission period applies for all university applicants.

- Amendment of point 3UG of § 61 Subsection 3 of the formulation of the regulation governing the admission of certain groups of potential students which ceased to apply on 31 December 2013 as follows: “Persons who either themselves have had the centre of their vital interests for at least five consecutive years in Austria immediately prior to making their application or who have at least one dependent within the meaning of the law for whom this is the case.”

- Bachelor’s papers should be explicitly defined as scholarly work in the relevant legislation concerning higher education (§ 51 (2) no. 7 UG, § 3 Subsection 2 no. 6 FHStG and § 35 no. 12 HG.

- the Diploma Supplement should carry an overall grade (either with a differential weighting of different performances or an average grade).

<p>A total of seven suggestions were made to the governing bodies and members of institutions of higher education regarding</p>
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- The standard of German required for persons whose first language is not German and whose course of study requires German, should be uniformly set at level C1 (proficiency according to CEFR).

- Compliance with the requirement to exclusively use the respective foreign language in courses that are a compulsory part of the curriculum

- In the relevant technical (Bachelor-)study programmes (primarily architecture, construction engineering and urban spatial planning) across the entire higher education sector, the introduction of barrier-free construction and construction to ensure accessibility for persons with disabilities as topics, should be discussed in the relevant curricula within the framework of the institutions' autonomy.

This proposal has the support of the National Disability Ombudsman.

- Institutions of higher education should implement rules (in the relevant documents such as statutes, curricula and exam regulations or course descriptions) concerning the possibility of taking small children to degree programme courses or university programmes for further education. At the same time, students' attention should explicitly be drawn to any available on-site childcare facilities at public universities and at teacher-training universities during guidance for new students and study counselling upon admission (in compliance with § 60 Subsection 1b UG and § 50 Subsection 4 HG) or when signing an education contract at a university of applied sciences or at private university.

- If it has not been done already, the traditional model of providing individual supervision of doctoral students by a supervisor should if possible be changed to a system of co-supervision or team supervision. Each candidate should continue to have a main supervisor.

- If it has not been done already and does not entail significant additional efforts or expenses, examination data should be promptly and correctly entered at the first (e.g. institute) level and validated at the second (e.g. Faculty) level by a central administrative office (e.g. Admissions/Examinations Office) in the electronic administration system used for this purpose.

- A central register should be kept by the respective institutions of higher education of all courses published in the course directory. This should contain expost details of whether the courses were held or not as well as information about any substitute courses.

<p>Two suggestions were made to lawmakers and governing bodies:</p>
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- Both the definition(s) and organisational forms of "senior citizen study programmes" - similar to those in existence at the University of Klagenfurt, the University of Salzburg and the IMC University of Applied Sciences Krems - should be discussed and in eventuality implemented at all higher education institutions.

- Awareness should be raised for the introduction of a "third gender" first of all in the Federal Statistics Act 2000 as amended and in the Federal Act on the Registration of Births, Deaths and Marriages 2013 as amended and afterwards in the relevant legislation on higher education.

Two suggestions were made to other stakeholders:

- Degrees awarded by five-year programmes at universities of applied sciences and private universities should be included in the eligibility criteria within the Patent Attorney Act.
- The subject of activities of a religious nature should be discussed and provided that suitable resources are available. The possibility to practise religious observances should be implemented in rooms especially provided for this purpose at institutions of higher education, insofar as this has not already been regulated at the institutions of higher education (e.g. in house rules).

Summary and Outlook:

- **Summary:**

The following activities from the planned work programme for 2017 were carried out during the reporting period.

- Broadening of the dialogue with institutions of higher education (especially through site Meetings).
- Networking of student ombudsmen also with a view to ensuring good academic practise: www.hochschulombudsnetz.at
- According to the Act on Quality Assurance in Higher Education § 31 subsection 4 the Austrian Student Ombudsman can take up issues upon his own initiative. This was done in three cases:
 - record keeping of examination results at public universities,
 - admission procedures at private universities,
 - standards of knowledge of German for international students at public universities.

- **Outlook:**

The following events are planned for 2018:

- “Austrian private university campuses abroad: first experiences: – cui bono? “, 6 April 2018 Sigmund Freud University Vienna
- “Sexualit(y/ies) and Gender Identit(y/ies) in the Austrian Higher Education Area: between normality and taboo”, 4 June 2018, University of Music and Performing Arts Vienna
- “The first instance monocratic body responsible for study matters: an unknown quantity?”, 19 November 2018, University of Vienna