

Annual Report of the Austrian Student Ombudsman for the Academic Year 2014/15 Submitted to the Federal Minister for Science, Research, and Economy and to the Austrian Parliament

By December 15, 2015, the Austrian Student Ombudsman at the Federal Ministry for Science, Research and Economy submitted his 3rd annual report (for the academic year 2014/15) to **the Federal Minister and to the Parliament. This was done** in accordance with § 31 para 7 of the Higher Education Quality Assurance Act 2011 (*Hochschul-Qualitätssicherungsgesetz*, HS-QSG).

The activity report covers the academic year 2014/15 and is the first one having been submitted according to the amendments of 2015 to the HS-QSG 2011¹, which include the following essential legal changes:

- The Austrian Student Ombudsman can take up issues ex officio (i.e. by itself) (§ 31 para 3)
- The confidentiality requirements of the Austrian Student Ombudsman have been s adjusted to those of the National Ombudsman, which makes it possible to refer to institutions by name when concrete issues are addressed. (§ 31 para 6 and 7)

The report covers the period from September 1, 2014 to September 30, 2015.

On February 17, 2016 the report will be presented by the Austrian Student Ombudsman to the Higher Education Subcommittee of the Austrian Federal Parliament and there discussed in detail.

• Subject of the Report and General Statistics

The subject of the activity report for the academic year 2014/15 are the perceptions and instigations of the Austrian Student Ombudsman regarding students' issues from the areas of **studies, teaching, testing, service, and administrative operations** of Austrian higher education institutions in the period under review.

According to § 31 para 1 HS-QSG 2011, the "institutions of higher education" included in the report are the Austrian public universities (22 institutions), private universities (12 institutions), universities of applied sciences (*"Fachhochschulen"*, 21 institutions), as well as

1

<https://www.ris.bka.gv.at/Dokument.wxe?Abfrage=Bundesnormen&Dokumentnummer=NOR40169882&ResultFunctionToken=d7694ab5-5a90-460e-9258-77ca830f6373&Position=1&Kundmachungsorgan=&Index=&Titel=HS-QSG&Gesetzesnummer=&VonArtikel=&BisArtikel=&VonParagraf=&BisParagraf=&VonAnlage=&BisAnlage=&Typ=&Kundmachungsnummer=&Unterzeichnungsdatum=&FassungVom=11.01.2016&VonInkrafttredatum=&BisInkrafttredatum=&VonAusserkrafttredatum=&BisAusserkrafttredatum=&NormabschnittnummerKombination=Und&ImRisSeit=Undefined&ResultPageSize=100&Suchworte=>

colleges of educational science (*“Pädagogische Hochschulen”*, public and private, 14 institutions).

In several thematic, target group-oriented workshops and publications during the year the issues related to the Ombudsman’s tasks were handled in accordance with the mandate of the office.

The issues brought forward to the Ombudsman came from – according to the exhaustive listing in the relevant legal provisions – prospective students, applicants, students (proper), former students and alumni. There were further issues regarding foreign institutions and issues presented by people interested in higher education.

Regarding the total number of students in the institutions mentioned above (with date deviations²) a total of 377,263 students is statistically ascertainable for the winter semester of 2014/15 (2013/14: 365,599).

The numbers of admitted students (at public universities) or applicants (at universities of applied sciences) were:

- At public universities: 44,584 applicants, all admitted
- At universities of applied sciences: 53,635 applicants (multiple applications possible!), 18,424 of them admitted

There were no detailed numbers available for applying students at private universities and colleges of educational science.

• **Issues in Numbers (p. 72 onwards)**

-Issues ranked according to their processing status

41% of the issues were handled by the Austrian Student Ombudsman directly by either mail or telephone. 19% of the issues were completed positively after referral to appropriate external authorities (in total 60%). 8% of the issues could not be solved. 17% of the issues were moot due to developing circumstances. 4% of the issues proved to be outside of the Austrian Student Ombudsman’s competence. 2% of the issues did not have the consent of the concerned parties to be further processed by the Austrian Student Ombudsman.

-Issues according to gender: 52% of the issues were submitted by women, 48% by men

² Deadlines for the survey varied. Public universities: February 28, 2015; universities of applied sciences and private universities: November 15, 2015; Colleges of educational science: August 3, 2015.

-Issues according to categories of institutions:

332 cases at public universities

57 cases at universities of applied sciences

15 cases at colleges of educational sciences (without those handled directly by the Ministry of Education)

8 cases at private universities

28 cases at other institutions

36 cases regarding scholarship/grant offices

With 30 issues the concerned institutions have not been named and are therefore not known (at first information regarding admission procedures and criteria, etc.)

-Most common issues from all institution categories (p. 53 onwards)

83 regarding admission (2013/14: 91)

55 regarding tuition fees (2013/14: 46)

44 regarding administrative matters (2013/14: 39)

40 regarding performance evaluation (2013/14: 34)

36 regarding study grants (2013/14: 41)

30 regarding recognition of studies (2013/14: 35)

25 regarding grant/scholarship opportunities

23 regarding academic/scientific support and supervision, especially regarding Ph.D. theses (2013/14: 37)

20 misc. (2013/14: 26)

19 regarding changes in curricula (2013/14: 69)

The topics varied according to the types of higher education institutions (see p. 59 onwards)

• Description of Individual Cases (p. 73-96)

As was already the case in previous activity reports for the academic years 2012/13 (<http://www.hochschulombudsmann.at/wp-content/uploads/2013/12/Taetigkeitsbericht-2012-final-A4-Neu-2.pdf>) and 2013/14 (http://www.hochschulombudsmann.at/wp-content/uploads/2014/12/OS_Taetigkeitsbericht-2013-14.pdf), issues submitted by prospective students, applicants, students, and alumni are described and divided into "facts", "actions by the Austrian Student Ombudsman", "solved/no (immediate) solution

possible". Pertinent legal provisions or other (internal and/or institutional) regulatory frameworks are cited at the beginning of the relevant case descriptions.

Based on the report of the National Ombudsman to both Houses of Parliament (National- und Bundesrat) in accordance to § 148d B-VG, Ombuds Act (*Volksanwaltschaftsgesetz*) 1977 §§ 1 and 2, para 2 and GOG-Nov 1996, §§ 21, para 1, and 78, para 1, the cases are not ranked by institutions or persons, but **according to office or function only**. All cases described in the report have received a reference number and can (just as with the National Ombudsman) be traced back to the original dataset in the Austrian Student Ombudsman Archives.

The descriptions are categorized according to institutional categories into public universities (13 cases), universities of applied sciences (2 cases), private universities (1 case), colleges of educational science (2 cases) and student support schemes(1 case).

• **Proposals for Offices and Members of Institutions of Higher Education as well as for the Legislative Authority (p. 97-112)**

As in the activity reports for 2012/13 and 2013/14 the current report 2014/15 contains a number of proposals for **offices and members of higher education institutions** as well as for the **legislative authority**.

A total of ten proposals is submitted to **offices and members of higher education institutions**:

- “lateral entry” (*Quereinsteiger*) regulations for students at the Medical Universities of Graz, Vienna and Innsbruck
- Publishing important study-related communications of institutions of higher education in English
- Consolidated versions of the statutes of public universities in their official newsletters
- Admission by official notification to Master studies at public universities
- Official seal, stating "appeal waiver", on notifications of public universities
- Clear(er) criteria for (possible) time limitations of supervision in doctoral studies at public universities
- Appropriate form of publication of the statutes, the regulations covering studies and examinations, as well as the general conditions for training/education contracts of universities of applied sciences
- Introduction of appropriate procedures, possibly in the form of an impartial person (similar to an ombudsman), to handle complaints and objections submitted by researchers, including those concerning conflicts between supervisors and young researchers

- Untimely, incorrect, or unreceived transfers of tuition fees at public universities
- Examination of regulations regarding deposits and their offsetting, as well as in order to comply with the prohibition of the levying of lump-sum contributions at colleges

• **Nine proposals for the legislative authority are included in the report of 2014/15:**

- Legal protection in examinations; also (in examinations) within the framework of internships
- Admittance procedures for applicants with disabilities and/or chronic illness at public universities, universities of applied sciences, and universities of applied sciences of educational science
- Selection of examiner at public universities
- Change of studies between public universities
- Adaptation or synchronization of multiple specialized terminologies in university legislation
- Sorting and re-examination of training/education contracts at universities of applied sciences
- Aligning the basis for the calculation of a student's "own" income and for the calculation of the reasonable personal contribution of each student
- An official mandate for psychological counselling centers for students at public and private colleges of educational science by the Federal Minister of Education
- Shifting the election period for the Students' Union's (OeH) elections from Tuesday thru Thursday to Wednesday thru Friday in order to better safeguard the right to vote for students of universities of applied sciences and those who study as well as work

• **Résumé and Outlook**

During the reporting period, the Austrian Student Ombudsman got information requests from the Scientific Council, the Austrian Court of Auditors, the Internal Audit Department of the Federal Ministry of Science, Research and Economy and, furthermore, from the Conference of Study Grant Authority and Scholarship Offices. The Austrian Student Ombudsman supplied respective information on his experiences regarding the issues submitted to the Austrian Student Ombudsman as well as direct suggestions for improvement.

The constant dialogue between the Austrian Student Ombudsman and representatives of the higher education stakeholders (Rectors Conferences, Students' Union) has been continued and intensified.

During the reporting period (additional) higher education institutions have either established local ombuds offices or supported their continued existence, or have taken conceptual preparations for the installation of such offices like the Anton-Bruckner Private University in Linz and the Universities of Applied Sciences(FH) of the *BFI Vienna* as of *Technikum Vienna*.

A networking meeting of all existing ombuds bodies and offices for the creation of an informal network of Austrian university ombuds offices (both for students as well as for the maintenance of good scientific practice) is scheduled for spring 2016.

Furthermore, talks to pursue the institutionalization of feedback mechanisms are to be hold with all interest groups per institution category also for the spring of 2016

In the course of an accompanying study for the new tasks of the Austrian Student Ombudsman after the amendments to the Higher Education Quality Assurance Act in the summer of 2015 new core tasks of the Austrian Ombudsman have been identified. This was done thru individual interviews with selected members of stakeholder groups as well as with random interviews with students. These newly defined tasks are:

- to create a contact point for students with individual concerns
- to contribute to the mediation between stakeholders
- to maintain and operate an information and networking platform
- to contribute to the improvement of the higher education system at large

As part of the programmatic work, the transfer of expertise on a national basis as part of a project of the Institute of State Organization and Administrative Reform at the Austrian Federal Chancellery is planned.

Proposals of the Austrian Student Ombudsman to offices and members of Austrian institutions of higher education institutions and to the legislative authority that have not yet been integrated into higher education legal frameworks are collected in thematic reservoirs and will again be proposed during upcoming amendment processes.

On an international level, this transfer is envisaged within an Erasmus +project, "AESOP – Advocacy Establishment for Students through Ombudsman Position", coordinated by Azerbaijan. Furthermore, it is important to continue the public discussion of the tasks of higher education ombuds offices and their *raison d'être* in accordance with the "*Innsbruck Descriptors* - developed, presented and discussed for the first time at the 2015 annual conference of ENOHE in Innsbruck, hence their name.

The following events are scheduled for 2016 as part of the information activities, in accordance with HS-QSG 2011 § 31 para 2 or will be attended by office members:

- Career and study information fairs in Vienna, Innsbruck, and Klagenfurt
- Launching conference of the AESOP project in Baku, Aserbaijan in March 2016
- Networking conference of the ombudsmen of higher education in Klagenfurt, Carinthia (together with the University of Klagenfurt)
- Thematic conference “Universities in the Docks: First Experiences with the Federal Administrative Court as a New appellate Court” in Vienna (together with the Austrian Rectors’ Conference of public universities and the Austrian Federal Court of Administration)
- Thematic conference on “Do Colleges for Educational Sciences need an Ombuds Office?” in Eisenstadt, Burgenland (together with the Rectors’ Conference of the teacher training colleges)
- Network conference of German ombuds offices and complaint managers in higher education in Cologne, Germany
- Thematic conference “Disability, Diversity, Inclusion: Milestones for Austrian Higher Education” in Krems, Lower Austria (together with the *Uniability* network)

Additionally, institution-specific decentralized small seminars for stakeholders will be organized in the short term by direct query (*monkeysurvey*®) and held throughout the country over the year.

The Annual Report 2014/15 is published in German only and available either in print (a complimentary copy can be ordered at cindy.keler@bmwfw.gv.at) or electronically ([http://www.hochschulombudsmann.at/wp-content/uploads/2015/12/OS Taetigkeitsbericht 2014-2015.pdf](http://www.hochschulombudsmann.at/wp-content/uploads/2015/12/OS_Taetigkeitsbericht_2014-2015.pdf)).

The next annual report 2015/16 is due on December 15, 2016.

