FAIR PLAY AND EQUAL CHANCES AT HIGHER EDUCATION INSTITUTIONS. DIVERSE PERSPECTIVES FROM GERMANY, GEORGIA, MOLDOVA, AND UKRAINE

Final Resolution and Recommendations
Brussels (Belgium), Essen (Germany), July 09-17, 2018

Background

This resolution reflects the discussions of young academics and practitioners in the sphere of higher education from Georgia, Germany, Moldova, and Ukraine during the international workshop "Fair Play and Equal Chances at Higher Education Institutions. Diverse Perspectives from Germany, Georgia, Moldova and Ukraine", which took place on July 09-17, 2018 in Brussels (Belgium) and at the University of Duisburg-Essen (Germany). The workshop was made possible owing to the support from the German Academic Exchange Service (DAAD) within the Program "East-West Dialogue".

Purpose

Recognizing the commitments of the respective countries to take effective action against corruption and ensure equal access to high-quality education, we have joined our efforts to develop a set of recommendations to foster the culture of integrity across HEIs and respective national authorities. Our recommendations are based on the fundamental values of accountability, transparency, and participation, defined as follows:

- Transparency – lack of the hidden conditions and agendas, accompanied by the availability of full information required for cooperation, collaboration and collective decision making at the university;
- Accountability – the obligation of the academic staff to account for its activities, accept responsibility for them, and to disclose the results in a transparent manner;
- Participation – joint consultation in decision making, goal setting, profit-sharing, teamwork, through which higher education institutions (hereinafter – HEI) attempt to increase the community's commitment to collective objectives.

Participants of this workshop, in account of principles of and guidelines for academic integrity developed by international institutions, including the UN (UNESCO, UNODC)[1], the European Commission[2], etc. and good practices displayed by leading universities of the European Higher Education Area and the USA, and the willingness of Georgian, Moldovan and Ukrainian higher education institutions to build honest academic communities of trust:

- Recommend using the experiences of leading European and US universities in developing and maintaining integrity infrastructure, including honor committees, honor codes and rules of procedure for implementing them as well as good practices of investigating alleged honor violations. Hereinafter under academic integrity infrastructure we mean:
   a) Honor Code;
   b) Rights and Duties of Academic Community Members;
   c) Honor Committee and Rules of Procedure for Honor Code Implementation;
   d) Practices of Investigation of Alleged Honor Violations;
   e) Rules of Appeal;
   f) Penalties;
   g) Enforcement[3].

Cross-cutting recommendation:
- Foster international cooperation aimed at a continuous promotion of academic integrity and zero tolerance to corruption in the academic community of the respective countries, ensuring principles of EHEA framework documents and programs, i.e. Bologna Process, ESG 2015, Erasmus+, etc.

Recommendations to the Governments:
- Develop and adopt amendments to the legislation related to strengthening academic integrity;
- Continue promoting academic integrity by strengthening academic integrity requirements for higher education institutions. Particularly, by making the existence of academic integrity infrastructure a prerequisite for licensing and accreditation of higher education institutions and their programs.

---

[1] See the resources catalogue specifically for integrity in higher education here: http://etico.iiep.unesco.org/en/resources-base

[2] See the Code of Conduct for the Recruitment of Researchers, The European Charter for Researchers: https://euraxess.ec.europa.eu/sites/default/files/am509774cee_en_e4.pdf

[3] See: R.Norby, Report on Rules of Procedure for Implementing Honor Codes in US Law Schools. Available at: https://newjustice.org.ua/wp-content/uploads/2018/07/1_FAIR_Law_School_Honor_Code_Rules_of_Procedure_Norby_8_Jun_2016_ENG.pdf M.Richter, Report on an Investigational Procedure for Honor Violations at the Washington and Lee School of Law. Available at: https://newjustice.org.ua/wp-content/uploads/2018/07/3_NJ_M.Richter_Honor-Violation-Investigation_Jul-9_2018_ENG.pdf; https://newjustice.org.ua/wp-content/uploads/2018/07/1_FAIR_Law_School_Honor_Code_Rules_of_Procedure_Norby_8_Jun_2016_ENG.pdf The Honor System and the White Book of the Washington and Lee University. Available at: https://www.wlu.edu/executive-committee/the-honor-system/the-white-book

Recommendations to the Higher Education Institutions Administrations and Management:

- Adopt the University Anti-Corruption Policy[4];
- Approve and disseminate, through all reasonable means, the Code of Honor and the information about its implementation;
- Establish Committee of Honor and other related structures, with clear and comprehensive rules for investigating alleged violations of academic integrity, including confidentiality requirements;
- Regularly perform internal assessment of implemented anti-corruption policies;
- Follow and promote academic integrity rules, and take immediate actions to address honor violations;
- Guarantee and ensure whistle-blower protection;
- Develop and implement efficient communication strategies aimed to foster integrity in higher education (see the communication guidelines samples in the Annex IV).

To the Faculty and Students:

- Respect and follow the rules provided for in the Code of Honor in education and research related activities;
- Demonstrate zero tolerance to corruption;
- Report the alleged cases of honor violations, in particular in teacher-student interactions;
- Actively participate in activities supporting the development and maintenance of the academic integrity infrastructure;
- Use role-plays simulating investigations of alleged honor violations and honor committee hearings in order to raise awareness about and develop a better understanding of the academic integrity infrastructure (for more examples, see the cases of breach of academic integrity and proposed procedures to tackle them in the Annexes I, II, III to this Resolution).

Recommendations to External Stakeholders:

- Support the policies aimed at fostering integrity culture within higher education institutions by applying its fundamental principles to existing forms of cooperation with HEIs;
- Make an effort to check the academic integrity background of students and faculty applying for educational or research programs, seeking consultancy work or employment.

---

[4] See: Model University Anti-Corruption Policy developed at the International Academic Workshop: Strengthening the academia's capacity to fight corruption through the development of anti-corruption policy held in Kharkiv, Ukraine, on November 21-22, 2017. Available at: https://newjustice.org.ua/wp-content/uploads/2018/07/2_NJ_Workshop_Resolution_Model-Anticor-Policy_Nov-21-22_2017_ENG_final.pdf

Case description

After several international exchange opportunities/trips performed by the teachers of a Higher Education Institution, students have found that these mobility opportunities were predestined for them. The academics of the respective HEI did not announce the call for application for these international exchange opportunities, but rather benefited from them instead. Students manifest disagreement regarding the discrimination and lack of information, along with the financial interest implied, since the international opportunities were fully covered.

Case solution
- Appoint a Committee of Ethics (representing all stakeholders), who would analyze internally the case;
- Establish clear procedures and means of solving the case, a work plan to be followed;
- Ensure confidentiality of the procedure before the final decision is issued;
- Ensure high standard of the professional investigation;
- Look up in the existing Regulation code, follow the established procedures;

Recommendations for potential partners how to use this chapter to address certain issues

- Raise the awareness among all the stakeholders about the unethical behavior emerged from the unfairness;
- Ensure free access to information about any ongoing programs, trips, scholarships, workshop opportunities, etc. via informing sessions, billboards;
- Conduct transparent, fair recruitment procedures for every stakeholder;
- Create an official regulatory document, stating the rights and obligations of all the participants in different international programs;
- Encourage fair participation of students in international programs;
- Dissemination of good practices of international participation;
- Quality assess the application from the Department of Quality Management (surveys on fairness of applications and selection);
- Annual reporting at the institution level (all the opportunities offered and all the beneficiaries);
- Borrow good existing practices from other institutions;
- Publishing the selection results on the official institution webpage;
- Reporting from the side of the scholarship/opportunity beneficiaries about their experience;
- Avoiding any discrimination regarding the access to any opportunity offered within the institution.

Case description

There are cases, when students' works are used by the university without their permission and they are denied their intellectual property rights. There are cases which show that some professors use their students' works as their own to get some profit and publish them without authors' consent. Students are not acknowledged as authors.

Plagiarism damages the reputation of the university and deprives the authors of an opportunity to be rewarded for their work.

Case solution

Introduce a clear and comprehensive legal framework
- Intellectual property rights are protected by several international conventions and by national laws.
- Code of Honor should define the values of the university, prohibit plagiarism and create additional safeguards for intellectual property rights protection. This should serve as the establishment of values for the university and the academic world.

Make Rules of Procedure clear and available to everybody
- The Code of Honor should be part of the contracts with the academic staff: either a service agreement or an employment agreement.
- Procedures should be defined by the Code of Honor or by an additional document.

Monitor new procedures
- Permanent Participation of all the stakeholders.

Recommendations for potential partners how to use this chapter to address certain issues

- Alleged cases should be investigated by the Committee of Honor;
- The Committee of Honor should be representative. It should have members from the student union, academic staff, administration, external experts, etc.;
- Campaigns are needed to raise awareness about the intellectual property rights and plagiarism among the students and the academic staff;
- Students and the members of the academic staff should have information about the procedures to defend their own rights.

Case description

A professor has posted on his private social media account an opinion on "… [t]he beautiful goal of building a white Europe". The students then initiated protests and collected several thousands of signatures under the online petition for the professor's dismissal. The professor confirmed his ownership of the account and referred to the freedom of expression in defense.

Case Solution

According to the Honor Code of the University, the case in question constitutes a violation of the ethical norms of the faculty. The investigation team has been comprised of two representatives of Student Board, three faculty members and one representative of administration, with a temporal mandate of one week. The investigators collected the print screens of the professor's social media accounts, relevant correspondence and testimonies of the witnesses. The Committee of Honor held a closed hearing, where the professor was found guilty of an honor violation. The investigation process and hearing should be conducted based on Ethical Policy framework[5].

Recommendations for potential partners how to use this chapter to address certain issues

- The HEI should prevent intolerant and disrespectful treatment of vulnerable groups with regard to continuing internationalization of higher education.
- The HEI should make the community aware about zero tolerance to hate speech and disrespectful behavior towards vulnerable groups through all convenient and reasonable means.
- The investigation team members, who hold the interviews in the above-mentioned cases of alleged integrity violations should take note about the specific methods of interrogating the victims of hate speech or other intolerant behavior in order to prevent secondary victimization.
- The sanctions for the described class of integrity violations may include, but should not be limited to warning, suspension, termination or expulsion, or obligatory training on sensitivity issues.
- The HEI should consider including civil society representatives (in line with their specific expertise and capacities) to the academic supervisory board[6] and advisory board[7].

---

[5] For the suggestions on the framework, see the Research Report "Ethics Matters. Managing Ethical Issues in Higher Education". Available at:
https://www.ibe.org.uk/userassets/publicationdownloads/ibe_cihe_report_ethics_matters.pdf
[6] "[Codes of Ethics,] Useful Instruments, nor effectively enforced: Limited access to the codes, absence of training, low capacity to enforce the codes, little knowledge of procedures for lodging complaints, lack of "watchdogs", role played by staff unions, no database on evidences of unethical practices". From the presentation of M. Poisson on 12 July 2018, Essen, at the workshop
[7] K.McLaughlin, Law School External Advisory Boards: Importance, implementation, and best practices. Available at: https://newjustice.org.ua/wp-content/uploads/2018/07/5_NJ_Report-on-Law-School-Boards-of-External-Advisors_Kathrine-McLaughlin_June-15_2017.pdf

- The HEI should in all cases guarantee whistle-blower protection, especially when students testify against the accused faculty or administration members.

ANNEX IV

Sample communication guidelines

Georgia

Objective
- Promoting ethical behavior within university and implement an enforceable Honor Code.
- Creation of common values based on the best standards of ethical behavior.

Goals
- Maximum number of the university community members will be involved in supporting action plan;
- Online platforms will be followed by 50000 persons;
- Online courses on Ethics will be attended and passed with 80% succession.

Target
- University: administration, students, professors, researchers, including heads of student unions, deans of the faculties, rectors of the university.
- Civil society organizations (watchdogs and organization working on education);
- Ministry of education;
- International experts;
- Media.

Main message
- Fighting corruption;
- Enroot unethical behavior in university to ensure fair, equal, quality of education within university.

Activities
- Orientation courses of entry level students, academic staff;
- Trainings;
- Online courses in Ethics on yearly basis, followed by the quiz, which should be mandatory for all members of the university community to pass once a year;
- Conferences, forums held of these issues;
- Storytelling.

Channels
- Campaigns are needed to raise awareness about the intellectual property rights and plagiarism among the students and the academic staff.
    - Facebook and other social media platforms;

- E-mail;
- Website;
- Student media;
- University Intranet;
- Traditional media.

Republic of Moldova

Communication recommendations at a university level:
- Identify relevant target audiences;
- Facilitate coordination of communication between all parties involved (avoid top down communication and encourage two-way interactions);
- Develop a communication plan tailored for a specific higher education institution;
- Conduct a problem and needs assessment analysis to identify relevant communication channels to ensure delivery of a clear message to all target audiences;
- Use diverse communication and dissemination (on- and offline) channels for promoting ethical and integrity values; possible communication channels:
  - University official website
  - Workshops for academic and administrative staff (face to face communication channel)
  - Social networks (online advertisement)
  - TV and radio broadcasting
  - Press conferences
  - Involve opinion leaders in the promotion of the communication message
  - Info boards, posters in public areas (e.g. student gathering areas)
- Conduct activities to support the overall communication efforts:
  - Flash mobs and other surprise actions
  - Original use of merchandise and promotion materials
  - Come up with an integrity related mascot for the university and make it cool and trendy
  - Publicize success stories focused on or related to (academic) integrity
- Periodical revision and update of the communication strategy;
- Identify communication challenges and develop tools and mechanisms for overcoming them;
- Include communication and personnel (in charge of communication strategy implementation) costs in the annual budget of the institution.

Ukraine

Objective
- Raising awareness about the academic integrity infrastructure

Goals

- Attract subscribers to social media channels;
- Reach as many people as possible through university websites and social media pages.

Targets
- Academic Community: professors, students, administrations, employers, university alumna communities.

The main message
- "Be the change for peers"

Activities
- Meetings, workshops, summer schools, simulation games, conferences

Channels
- Online Media: official web-site, social networks, YouTube Channels with Leader's participation;
- Offline Media.

Timeline
- Spend the next three to six months:
  - Planning;
  - Consultation (survey);
  - Making amendments, if necessary;
  - Dissemination and follow-up
- Evaluation
  - Follow-up from all targets audience;
  - Clear motivation.
- Challenges
  - Passive student's approach;
  - The lack of the motivation and willingness of representatives of the HEI Administrations;
  - No media interest;
  - Lack of financial support and Human Resources.