

COUNCIL OF EUROPE

COMMITTEE OF MINISTERS

RECOMMENDATION No. R (98) 3

OF THE COMMITTEE OF MINISTERS TO MEMBER STATES ON ACCESS TO HIGHER EDUCATION

*(Adopted by the Committee of Ministers on 17 March 1998
at the 623rd meeting of the Ministers' Deputies)*

The Committee of Ministers, under the terms of Article 15.b of the Statute of the Council of Europe,
Considering that the aim of the Council of Europe is to achieve a greater unity between its members
and that this aim can be pursued notably by common action in cultural matters ;

Having regard to Article 26 of the Universal Declaration of Human Rights ;

Having regard to the European Cultural Convention ;

Having regard to the European Convention on the Equivalence of Diplomas leading to Admission to
Universities (ETS No. 15) and its Additional Protocol (ETS No. 49) ;

Having regard to the Convention on the Recognition of Qualifications concerning Higher Education
in the European Region (ETS No. 165), jointly prepared by the Council of Europe and Unesco, and opened
for signature in Lisbon in April 1997 ;

Having regard to the principles governing admission to tertiary education adopted by the Committee
for Higher Education and Research of the Council for Cultural Co-operation in April 1974 ;

Bearing in mind the Declaration on equality between women and men, adopted by the Committee of
Ministers in November 1988 ;

Having regard to the Vienna Declaration of Heads of State and Government of the Member States of
the Council of Europe, October 1993 ;

Bearing in mind the Framework Convention for the Protection of National Minorities (ETS No. 157) ;

Considering that higher education has a key role to play in the promotion of human rights and
fundamental freedoms and the strengthening of pluralistic democracy and tolerance ;

Considering that widening opportunities for members of all groups in society to participate in higher
education can contribute to securing democracy and building confidence in situations of social tension ;

Considering that the demand for higher education of good quality continues to expand in many
countries, and that taking steps to meet this demand may assist the future economic and social development
of member states as well as fulfilling the aspirations of young Europeans ;

Recalling that the goal of lifelong learning for all requires broad and equal opportunity for access to
higher education ;

Considering that, despite expansion in student numbers in recent years, there is widespread evidence
of under-representation in higher education affecting people of low socio-economic status, people with

disabilities and certain minorities ; and that despite progress towards gender equality women are still under-represented in science and technology,

1. Recommends that the governments of member states :
 - a. take steps to implement in their policy, law and practice the principles and measures contained in sections 3 (action against discrimination) and 8 (funding) of the appendix to this recommendation, and those contained in the remaining sections of the appendix in so far as they concern matters for which governments are responsible according to the allocation of responsibilities in each country ;
 - b. take steps towards the application of the principles and measures contained in the appendix where these are not the direct responsibility of governments ;
 - c. draw on the best practice of other European countries in this regard, taking account of the examples identified by the Higher Education and Research Committee in the course of its project, "Access to Higher Education in Europe" and its follow-up ;
 - d. promote implementation of these measures by the universities and other institutions of higher education ;
 - e. ensure that this recommendation is distributed as widely as possible among all persons and bodies concerned.
2. Instructs the Secretary General of the Council of Europe to transmit this recommendation to the governments of those States Parties to the European Cultural Convention which are not members of the Council of Europe.

Appendix to Recommendation No. R (98) 3

1. Definitions

For the purposes of this recommendation, the terms below shall have the following meaning :

Access policy

1.1. A policy that aims both at the widening of participation in higher education to all sections of society, and at ensuring that this participation is effective (that is, in conditions which ensure that personal effort will lead to successful completion).

Admission

1.2. The term admission is used in the same sense as in the Convention on the Recognition of Qualifications concerning Higher Education in the European Region: "The act of, or system for, allowing qualified applicants to pursue studies in higher education at a given institution and/or a given programme".

Equal opportunities

1.3. A policy of equal opportunities is one that is designed to meet all requirements of the principle of equality, not only formal or *de jure* equality and the absence of discrimination, but also full and effective equality in the sense of enabling all individuals to develop and fulfil their potential. The promotion of effective equality may require the adoption of special measures where this is necessary and consistent with the principle of non-discrimination to take account of the specific conditions of individuals or groups in society.

2. Aims and objectives

The following points are addressed to governments and higher education institutions, according to the allocation of responsibilities in each country.

2.1. All who are able and willing to participate successfully in higher education should have fair and equal opportunities to do so.

2.2. The higher education population as a whole should increasingly reflect the diversity of a changing society in each member state, building on progress in this respect in school and pre-school education, while continuing to welcome students from other parts of Europe and the world.

2.3. Admissions systems and the learning environment in higher education institutions should give equal opportunities to all individuals and groups in society.

2.4. Efforts to maintain and raise the quality of higher education systems should include the criterion of effective access offered to all groups in society, as well as that of excellence in teaching and research.

2.5. Appropriate monitoring measures should be developed to measure the process of change.

3. Action against discrimination

The following points are addressed to governments.

3.1. Member states are recommended to consider the need for legislation to outlaw discrimination in higher education on grounds of gender, sexual orientation, age, ethnic origin, religion, political or other opinion and disability. Account should be taken of:

- the desirability of including higher education within the scope of more comprehensive measures to combat discrimination against all members of a particular group or groups;

- the relevant Council of Europe instruments which member states have adopted concerning equality of women and men, policies for persons with disabilities, national minorities, and against intolerance and racism, as well as the European Convention on Human Rights and its protocols;

- the need for a balanced mix of measures that empower individuals to gain redress against proven discrimination with those which tackle structural causes and promote institutional change;

- the fact that legislation against discrimination within a policy of equal opportunities should be complemented by positive action in favour of under-represented groups.

3.2. All residents and all holders of national qualifications should be treated equally for the purposes of entry to higher education, regardless of their legal status as nationals or non-nationals.

3.3. People with disabilities should be given equal opportunities to participate in study, research and employment in higher education, and physical and systemic barriers to their participation should progressively be removed.

4. Admissions

The following points are addressed to governments and higher education institutions, according to the allocation of responsibilities in each country.

4.1. Admissions criteria and procedures should recognise the different starting points and cultural backgrounds of applicants, and seek to include all those with the potential to benefit.

4.2. The range of access routes should be widened by extending admissions criteria to include alternatives to the conventional secondary school leaving certificate. In particular:

- high-level vocational qualifications should be accepted as appropriate preparation for higher education;

- appropriate credit should be given to experiential learning;

- applicants who are generally well-qualified but suffer from specific educational gaps should have opportunities to follow bridging courses, provided by higher or by further education.

4.3. Admissions criteria should be made transparent, so far as this can be combined with the needed flexibility, and admissions procedures should be as simple and efficient as possible.

4.4. In their dealings with potential students, through recruitment, marketing and information, institutions should direct their efforts to encouraging applicants from diverse social and cultural backgrounds. It is recognised that particular under-represented groups may be encouraged in accordance with the particular institutional situation and objectives.

4.5. In the design of admissions systems, the creation of procedural and informational barriers to access by foreign students should be avoided. Reference is made to the best practice identified in previous instruments of the Council of Europe and other bodies on student mobility and the fair recognition of qualifications.

5. Student progress after entry

The following points are addressed to governments and higher education institutions, according to the allocation of responsibilities in each country.

- 5.1. Action should be taken, both nationally and by institutions, to tackle the causes of student under-performance and dropout. Monitoring (see Section 9) should be used to identify these causes.
- 5.2. Professional guidance, counselling and careers services should be developed and co-ordinated to provide continuous support for students before entry into higher education (secondary schools and elsewhere), as well as during their course of higher education, and before their entry into working life. This support should be relevant to students of all ages, from all social and cultural backgrounds, and to those with disabilities.
- 5.3. To enable all sectors of a diverse student intake to achieve academic success, steps should be taken:
 - to reorganise curriculum content where appropriate and modify its delivery as necessary to reflect the diversity of a multicultural society, taking account of the views of those from minority cultures;
 - to employ flexible language policies in the delivery of the curriculum, where there are large national or regional linguistic minorities;
 - to promote a climate of tolerance, solidarity and democracy.
- 5.4. Further research should be carried out on an international basis to improve methodologies for measuring student progress, dropout, and transfer.

6. Access and lifelong learning

The following points are addressed to governments and higher education institutions, according to the allocation of responsibilities in each country.

- 6.1. The importance of the contribution that higher education can make towards providing lifelong learning for all sections of the community should be recognised.
- 6.2. Strategies to deliver opportunities to adults with no initial experience of higher education, as well as to provide additional opportunities for those who have already benefited, should be developed.
- 6.3. New technology should be exploited to encourage participation and to facilitate learning for students from non-traditional backgrounds, disabled students and those whose circumstances inhibit regular attendance, as well as virtual mobility for international students.

7. Staffing and staff development

The following points are addressed to governments and higher education institutions, according to the allocation of responsibilities in each country.

- 7.1. Achieving fair representation of all groups among staff in higher education is desirable, as evidence of the effectiveness of equal opportunities policies, for the image of higher education and to ensure role models for all students. Efforts should therefore be made, consistent with national anti-discrimination legislation:
 - to achieve a more even gender balance among staff, particularly at senior levels;
 - to increase the number of staff from minority ethnic groups and staff with disabilities.
- 7.2. Staff development programmes to raise awareness and support access policies should be encouraged, as should full staff involvement in the design and delivery of access strategies.

8. Funding

The following points are addressed to governments.

- 8.1. Public funding for higher education should support the aims and objectives of access policy stated in paragraphs 2.1 to 2.4 above, with the ultimate goal that all citizens should have fair and equal opportunities for higher education.
- 8.2. The mechanisms of public funding for higher education institutions and students should support the implementation of policies for access. This is particularly relevant where the system for the funding of institutions includes incentives for quality and performance, or is based on a differential assessment of needs.

This paragraph may not be interpreted as a recommendation in favour of particular funding approaches.

8.3. To reduce the financial barriers to wider access to higher education, financial support should be provided for student subsistence, taking into account the cost of dependants. Priority should be given to meeting the needs of those from lower income groups. Incentive scholarships to students with high academic grades may play a complementary role.

8.4. Financial arrangements should recognise the additional needs of disabled students and those with children.

8.5. Where tuition or registration fees are introduced, it is desirable:

- to treat fees as a limited student contribution to the cost of higher education in partnership with the taxpayer, rather than as a substitute for public funding;

- to make the payment of the student contribution contingent on income, for example by a comprehensive scheme of financial aid covering the cost of fees for students on low incomes;

- to regulate fees at a comparable level in all public institutions;

- to commit any fee income to additional spending.

This paragraph may not be interpreted as a recommendation in favour of fees.

8.6. Government policy towards private institutions of higher education should take appropriate account of access objectives.

9. Monitoring progress towards equal opportunity

The following points are addressed to governments and higher education institutions, according to the allocation of responsibilities in each country.

9.1. A monitoring system for participation in higher education should be set up, in conformity with data protection legislation, bearing in mind the requirements for data to be relevant, not excessive for the purposes requested, used only for those specified purposes and to be subject to appropriate safeguards, as outlined in articles 5 and 6 of the European Convention for the Protection of Individuals with regard to Automatic Processing of Personal Data (ETS No. 108).

9.2. Institutional monitoring should be seen as an integral part of policies for equal opportunity, and a key professional tool for management and planning. It should comprise the three stages of the collection of accurate and reliable data, analysis, and the implementation of policy for change.

9.3. Monitoring should aim to cover student profiles, entry qualifications, performance, progression and retention rates (including reasons for non-retention), by age, gender, disability, ethnic or cultural identity and socio-economic background. Consideration should be given to monitoring staff profiles and positions as part of the overall policy for equal opportunity.

9.4. Published information from monitoring should be available to all stakeholders in the education system, including students, staff, parents, employers, trade unions and governments.

9.5. To avoid difficulties in the introduction and implementation of monitoring, new systems should:

- be introduced by consent, involving those with a legitimate interest, including representatives of the different groups to be monitored, in the planning process;

- make use of the variety of available methods and technologies to avoid the creation of cumbersome and costly systems;

- aim at the greatest practicable comparability of data within countries and between them, bearing in mind the work of the European Union, and international organisations such as the OECD, on statistical indicators;

- be attentive to evolving concepts of good European practice in this area.