

# FROM PROTEGE TO CUSTOMER: INCREASING STUDENT INFLUENCE IN CIVIL AND STRUCTURAL ENGINEERING EDUCATION

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The increasing appearance of fee financed education offers in higher education result in a power shift from higher education institutions in Germany to their students. Thus, for example, students claim more involvement in university decision processes and the right to evaluate lecturers' teaching skills. This paper is dealing with the development of student rights. It describes the students' position at universities under higher education policy aspects. A closer look on the rights and duties of students gives an idea of their options to influence civil and structural engineering education. Furthermore, advantages and disadvantages of the increasing influence of students on universities' decision making processes were examined. That issue is especially discussed under the perspective of the influence on civil and structural engineering education. The conclusion is that an increasing influence of students and customer orientation at universities may influence the working atmosphere at higher education institutions both in a positive as well as in a negative way. Sometimes students have inventive ideas but often they are not able to overview all aspects of university life. Universities must master the balance between the educational standards of a higher education institution and the increasing demands to involve students in institutional decision making processes.

*Keywords:* Student rights, University management, Power shift, Higher education law, Curricula development, Educational standards, University strategy.

## 1 INTRODUCTION

For a long time, universities were a place where students subjected themselves to the university's authority. In that times there was nearly no chance for students to be involved in university decision processes. Between the 16<sup>th</sup> and 20<sup>th</sup> century, universities even maintained own students' prisons on the basis of their own jurisdiction (Oberdörfer 2005).

Today, the situation regarding students' participation in decision making processes at universities has changed seriously. One of the reasons is that higher education institutions often are measured on their financial success (Quapp and Holschemacher 2016) why universities enlarge fee financed education offers. According to the well-known saying that "the one who pays, commands", students demand politics and university authorities to involve them in university internal decisions. Thus, German universities had and have to put in action, what politics and student representatives agreed and what became University Law.

## **2 METHODOLOGY OF INVESTIGATION**

Within the investigation, former and current European and German University Law, especially the Saxon University Law, was analyzed, regarding the students' influence on higher education development and students' rights. As a result, the paper shows different legal situations in the European Middle Ages, the Absolutism and after World War I with focus on today.

It is important to mention that university law in Germany is law of the individual German Federal States, which is why in Germany there are 16 different University Acts. But, most of the University Acts contain similar regulations.

## **3 STUDENTS RIGHTS AND OBLIGATIONS**

All German University Acts contain rights and obligations of students. The first written German Student Organization Law was published in 1920 to participate student organizations at the university management (Kersten 1931).

In the current Saxon University Autonomy Act (2015) students' rights are written down in Article 22 such as follows:

- The right to use all institutions of the university
- The right to demand compliance with the study and examination regulations
- The right to inform the dean of study affairs about lecturers' failures to meet their obligations, the right to ask for correction of the faults and the right to let discuss the complaint in the Academic Commission
- The right to be active in the university's scientific, cultural and sports activities.

But, students have some obligations as well such as:

- The obligation to act in compliance with all regulations of the university
- The obligation to organize his or her study to take examinations within the specified timeframe.

In former times, there was only limited participation of students in university matters. Sometimes, they were involved in matters of university jurisdiction dealing with disciplinary offences of students (Oberdörfer 2005). Today, students at German universities are organized in Student Organizations on departmental level and on university level. These organizations strongly influence the university development. Basis are the University Acts of the German Federal States which confers rights to the Student Organizations such as participation in the meetings of the University Council as well as of the Faculty Councils.

The following part of the paper concerns with the question how much influence students and Students Organizations have on academic issues like creating engineering curricula, the teaching as well as strategic development of universities and faculties.

## **4 INFLUENCE ON DEVELOPMENT OF STUDY PROGRAMS**

According to German Law, universities and in particular the lecturers are responsible for the course contents of degree programs. As a consequence of Article 5.3 sentence 1 of the Basic Law of the Federal Republic of Germany (Basic Law of the Federal Republic of Germany of 1949), the Freedom of Science allows the professors to define content and method of their courses, especially topic, form such as lectures, seminars, practical and non-practical exercises, structure as well as their duration (Fehling 2012). All professors in a degree course have the same

fundamental rights of free teaching. But in the case all professors would enforce their right, study period planning would be chaos. So, to enable conception of study plans there must be a balance in practicing lecturers' fundamental rights. For developing a curriculum, Faculty Councils exist, which are the representatives of all faculty member groups such as professors, scientific and administrative staff members as well as students. These councils are mandated to agree about the curriculum of a degree program in accordance with the fundamental rights of all lecturers.

Before the Faculty Council decides about new degree programs or changes to existing curricula, the faculty's Academic Commission is dealing with the topic. This Academic Commission usually includes both professors and students in an equal number. Together with the lecturers, students in this board discuss the subjects in the curriculum, their duration, the amount of working hours and many other details. The decision of the Academic Commission must be followed by the Faculty Council if it does not decide with a two-thirds majority in another way. Thus, the equal representation of both students and professors in the Academic Commission whose decision only can be changed with a two-thirds majority of the Faculty Council, symbolizes the strong influence of students on the development of degree programs.

## **5 INFLUENCE ON CIVIL AND STRUCTURAL ENGINEERING TEACHING**

Not only on development of study programs but also on teaching, students currently have a strong influence. In all German University Acts there are regulations about participation of students in quality assurance for improvement of academic teaching (e.g. Saxon University Autonomy Act (2015)). Often there is a conflict between the Freedom of Science and the methods of study programs' quality assurance which is mandatory in Germany. In former times, study programs were controlled by governmental framework study and examination regulations for each field of study. Now, accreditation of study programs is used as one pillar of universities' quality management (Michel-Quapp and Holschemacher 2009). Quality assurance not only includes accreditation and the classical form of course evaluation by students, but also first-semester surveys, polls among graduates, rankings and an intricate method for signing on academic personnel. Especially because of their participation in accreditation and evaluation procedures, students have a significant influence on the teaching in civil and structural engineering programs.

While the process of study program accreditation, students are involved as peers in the peer group of private accreditation agencies. Furthermore, the peers will interview students studying in the program about their learning experience in the study course in an on-site audit at the respective university. For European universities the results of accreditation processes are important because in some states a successful accreditation is needed to start or continue a degree program. In other countries, accredited programs are a huge marketing factor in the competition for the most talented students. In worst case, if the study programs do not meet the requirements, the accreditation can be rejected. As a consequence of that, universities are forced to satisfy their students so as not to risk the successful accreditation.

External quality assurance includes both accreditation and polls of graduates while internal evaluation is done by students who have experienced first-hand the quality of teaching and the university institution on an everyday basis. Courses are either evaluated with paper and pencil or online. Because the results of course evaluation influences the faculty budget and the individual salary of the lecturer, students are able to put pressure on the professors regarding course contents, teaching level and difficulty of examinations.

Especially civil and structural engineering programs will be seen as too demanding by the students. Thus, continuously there are discussions about decreasing the educational standards and to reduce the difficulty and number of examinations. Professors at HTWK Leipzig work hard to

convince students' representatives in the Academic Commission that a high quality education in civil and structural engineering education is necessary to enable graduates to satisfy the high demands on civil and structural engineers in the everyday working life.

## **6 INFLUENCE ON UNIVERSITIES' SELF-ADMINISTRATION**

The University Council is the highest body in European higher education institutions. In the Middle Ages, Students (*Scholaren*) had the right to attend the meetings of this council and even have had the active and passive suffrage for the president's position (Bartsch 1971).

Over the centuries, the amount of students' influence on university leadership and administration was reduced significantly. While the time of Absolutism, students interests had no longer any relevance at European Universities. Only after the World War I, there was a success in reactivation of students influence on universities development (Bartsch 1971).

Today, student influence can be found in nearly all bodies of the university. So, for example students participate in the University Council which decides, among others, about the university's constitution as well as the strategic development planning of the university and which elects the University President and the Vice Presidents. Furthermore, the University Council is responsible for statements regarding budget, human resources and all scientific issues as long as they are not related to one faculty only (see e.g. Saxon University Autonomy Act (2015)).

Currently, in Germany there is a discussion about students in a Vice Rectors position. In three German Federal States it is possible to elect a student for one year as a university's vice president (Mecklenburg-Vorpommern University Act 2011). But, the students demand more influence in the other German Federal States as well.

It is understandable that students ask for more influence on the university who they are part of. But, it should be considered that they spend only a limited time at one higher education institution which is why they often are not experienced in university management and in subject specific matters. The interest of students representatives often is directed towards the improvement of the own study situation without future orientation in strategy planning and fulfillment of target agreements.

## **7 INFLUENCE ON DEPARTMENT DEVELOPMENT**

The Faculty Council is the highest body on departmental level of higher education institutions. In the Middle Ages, the *Scholaren* had no right to attend the meetings of the Faculty Council. Furthermore, they had not active or passive suffrage for the Dean's position.

Today, students are strongly represented in the Faculty Council which, among others, is responsible for enacting the study and examination regulations for degree programs, for faculty strategy, for coordination of research projects, for quality assurance, for suggestions for professorships and recommendations for target agreements with the university management. The strong influence of students in the Faculty Council especially is considerable by the regulation that decisions of the council which influence the study program organization must be with a majority of the student representatives. Otherwise, the Faculty Council must decide with a two-thirds majority against the students' vote (see e.g. Saxon University Autonomy Act (2015)).

Furthermore, the Faculty Student Organization is responsible for a statement to the candidates for the Dean of Study Affairs as well as the Academic Commission and must be involved in course evaluations and preparation of teaching reports (see e.g. Saxon University Autonomy Act (2015)).

## 8 INDIVIDUAL RIGHTS

Students at German universities nowadays have got the right to appeal against a decision in an examination procedure if they do not agree. This was nearly possible in former times.

In Germany, an objection against the decision of the chairman of the responsible examination committee must be submitted within four weeks. Please, see as an example Paragraph 17 of the Examination Regulations of the International Master's Degree Program Structural Engineering at HTWK Leipzig (HTWK Leipzig University of Applied Sciences 2015). If the objection will be rejected by the examination committee, a rejection notice will be issued. Against that notice, legal proceedings can be instituted by the student with the administrative court in charge.

These regulations often pose immense challenges to examiners and university administrations. Examiners, whether they are lecturers or professors, are obligated to grade students' examinations quickly and transparent. Thus, in the case of an appeal against a decision in an examination procedure a grading scheme must be provable by the examiner.

In total, the experience at HTWK Leipzig is that students become more and more demanding. They know their rights very well and are not too shy to articulate their needs. They demand influence in university matters but on the other hand, more student's service is requested. Universities try to do their best to meet the needs of the students. It is to consider that higher education should also educate young people to be responsible for their own decisions, performance and life.

## 9 CONCLUSION

It can be concluded that advises and criticism by students may be helpful for improving civil and structural engineering education. But their influence must respect universities' and lecturers' freedom of teaching and their competence in developing civil and structural engineering education as a key matter. It is to state that acting of students in university affairs often is not driven by knowledge and understanding of university contexts or future oriented thinking but by the interest to improve the own study situation in an effective and quick way. Therefore, it is necessary to reduce students' influence in the way that their advices should only be of recommendatory nature. The lawmakers and the politics must think twice before they lay the future of universities in the hand of students. To seem to be a servant of (good paying) students is a risk for all, the higher education system itself, its quality and the society at large.

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