

Statement of the Network of Doctoral Representatives in Bavaria
on the planned Bavarian Higher Education Innovation Act
June 8th, 2021

Dear State Minister Mr. Sibler,

With the following statements, the doctoral candidates' representations take a stand on the planned reform of the Bavarian higher education law and the new enactment of the Higher Education Innovation Act, based on the draft bill for the Bavarian Higher Education Innovation Act (BayHIG) of May 2021. There are already statements on the planned amendment of the Bavarian Higher Education Act, such as those of the senate chairpersons of Bavarian universities [1], the Bavarian professors [2], the Association of Higher Education and Science (vhw) Bavaria [3], and the joint position of students and scientists in Bavaria [4]. We want to refer to these in all their detail. Here we would like to take a stand in particular on issues related to doctoral candidates. In general, we, the Network of Doctoral Representatives in Bavaria ("Landesnetzwerk der Promovierendenvertretungen in Bayern", LaProBay), are positively disposed towards the HIG and the associated innovative development of Bavaria as a university location. At the same time, we feel compelled to make our own statement, which includes the following central demands:

1. Legal anchoring of the doctoral candidates' representation and expansion of the existing status group
2. Promotion of young researchers and plannable career paths
3. Participation of doctoral candidates in the development of rules on teaching load
4. Framework conditions for doctorates at or in cooperation with universities of applied sciences

We, the doctoral candidates, take on various roles at Bavarian universities – we are, to varying degrees, researchers, teachers, and learners at the same time, which gives us insights from different perspectives on a wide range of topics. In addition, we, the doctoral candidates, are employed or funded in a wide variety of constellations. For example, we may be enrolled as students, employed as research assistants, funded by grants, or conducting research as external doctoral candidates. Despite this heterogeneity, we share similar characteristics, experiences, and problems. We substantially contribute to research and teaching, making us an essential and permanent entity at universities. The dependent relationship of doctoral candidates to the doctoral supervisor is unique in all its forms in academia and society. Student representatives are therefore unable to cover the interests of doctoral candidates.

In the very diversified class of academic staff, doctoral candidates in their entirety have not yet been fully represented. For instance, doctoral candidates without an employment at the university and external doctoral candidates are not represented. Furthermore, doctoral candidates are the second largest stakeholder at Bavarian universities after students (28.534 doctoral candidates in 2019 [5]), and therefore have a unique position within the structure of status groups, which the planned Bavarian Higher Education Innovation Act should also reflect.

We, the undersigned Bavarian doctoral candidates' representatives, would like to address our four central demands in the following and derive proposals that should be considered in the amendment of the Bavarian Higher Education Act.

1. Legal anchoring of the doctoral candidates' representation and expansion of the existing status group

University committees are essential for academic profile building and university self-administration. Even with a more flexible self-administration of the universities, the involvement and democratic participation of all stakeholders and thus also of the doctoral candidates should be guaranteed.

After comparing doctoral candidates' representations in Bavaria, it becomes clear how different the legal requirements for representations are formalized and designed at the respective universities – from fixed (and lived) structures, regular elections, and institutionalized committees to lack of formalization and adequate involvement. These differences culminate in external doctoral researchers and those without a position, who have no voice in any of the boards or status groups. Moreover, doctoral researchers are usually not explicitly involved in university policy decisions – as in the draft of the above-mentioned law (Art. 19 para. 1 and para. 2 BayHIG). At best, they are included in other status groups (such as those of students or the academic staff) and thus only inadequately represented.

To strengthen the culture of participation within the universities and counteract the lack of representative structures, we call for the representation of doctoral candidates in Bavaria to be anchored in law. We see a possibility for this either in the introduction of a separate status group for all doctoral candidates or – in agreement with the LWB – in the expansion and renaming of the existing status group of academic and artistic staff (Art. 19 paras. 2 BayHIG)¹ to a joint status group of "doctoral candidates and academic and artistic staff". This new status group should be organized at all Bavarian universities via two independent conventions² with a spokesperson from each convention and an annual election of representatives to represent both subgroups adequately. In addition, equal representation of doctoral candidates and academic staff should be mandatory in all university committees and both groups should have separate voting rights.

In order to ensure equal representation of doctoral candidates in the committees, even at universities with weak representation structures, it is necessary to create a state-wide doctoral candidates' representative body, similar to the existing Landes-ASten-Konferenz (state conference of students) in Bavaria (see also example HSchG Lower Saxony).

The draft law includes new policies on development planning and the management of universities through target agreements. All status groups and stakeholders are to be involved in the definition and design of these target agreements within the framework of democratic participation, particularly those of doctoral candidates.

2. Promotion of young scientists and plannable career paths

Universities are to be obliged to draw up personnel development plans [6]. In the spirit of the bill, we agree that Bavarian universities must strengthen the career development of young scientists and thus also of doctoral candidates in a targeted manner to retain outstanding personnel in science and bind them to their institutions. At the same time, the promotion of young scientists

¹ In this and all of the following references to the BayHIG, we refer to the draft law from May 2021 (2210-1-3-WK).

² Doctoral convention and convention of scientific and artistic staff

and targeted career development enables the transfer of knowledge from science to industry and strengthens Bavaria as a business location in the long term.

Approximately 97% of employed young scientists at public universities have a fixed-term contract [7] and a high percentage of doctoral candidates have part-time positions (about 65% at universities nationwide [8]) with full workload. These indicators demonstrate the deficiencies of stable employment relationships as well as predictable and transparent career paths in science. Because of the increasing third-party funding income and the challenges in teaching (e.g., digitalization) the permanent tasks are constantly growing. To continue with an excellent performance of these tasks in Bavaria and to offer excellent scientists a career perspective, the basic funding of the universities must be increased noticeably offering more permanent positions. We expressly welcome the expansion of the offer of advanced qualifications (junior professorship, group leadership) and the anchoring of the tenure-track model in the draft law. Targeted support for young scientists could also be strengthened through career centers for doctoral candidates and doctoral graduates (Art. 38 BayHIG). Furthermore, we are convinced that the federal state of Bavaria should remain the employer for all employees of Bavarian universities. Here, the current situation creates security and bundles the administration of all activities in one place.

In our experience, research sabbaticals (Art. 45 BayHIG) of professors are often also a gain for doctoral candidates. However, the additional flexibility gained through foundation sabbaticals should not be disadvantageous for supervised doctoral candidates, especially concerning supervision and support for ongoing doctoral research projects. This can be achieved, for example, through commitment agreements with concrete partial goals or deadline agreements. If doctoral researchers provide services for spin-offs, they must be appropriately involved.

3. Participation of doctoral candidates in the development of rules on teaching load

The employment of doctoral candidates at universities is often characterized by a strong dependency on the doctoral supervisor (who supervises and evaluates the dissertation and at the same time decides on further employment) and a high workload, including teaching, project, and organizational activities. Against the background of this weak negotiating position of the doctoral candidates, a fair and transparent distribution of the planned teaching load must be guaranteed (Art. 39 BayHIG), both between the different departments and institutes and within the chairs and faculties. We appreciate the approach to reorganize the teaching loads at universities. However, we demand a legally binding regulation that this reorganization of the teaching loads at the universities may only occur within one status group (e.g., between professors) and thus that the teaching loads cannot be shifted to the detriment of individual status groups. Here we explicitly refer to the statement "University Vision" [4] with the approach of a commission composed of equal numbers of professors, students, and the academic staff (including doctoral candidates), and which decides on the teaching load.

4. Framework conditions for doctorates at or in cooperation with universities of applied sciences

In Bavaria, a functional differentiation between universities and universities of applied sciences ("Hochschulen angewandter Wissenschaften", HAWs) is politically desired and legally anchored (Art. 3 BayHIG). However, a more complex picture emerges today. A clear division of tasks and

thus the classic distinction between university and HAW is less restrictive in practice. Therefore, one finds HAWs focusing on research as well as universities focusing on applications. We see arguments both for and against extending the right to award doctorates to research-strong areas of HAWs. Nevertheless, we have a basic consensus among the doctoral representations on the following necessary conditions for a right to award doctorates at HAWs:

The goal of the doctorate is the implementation of an independent scientific research project. To ensure its implementation and quality, we demand uniform framework conditions at universities with the right to award doctorates, such as appropriate financial and personnel resources at the university (Art. 80 Para. 7 BayHIG), the embedding in an appropriate research environment (professional supervision, academic staff, etc.), standards for quality assurance (supervision agreement, interim evaluation, conference participation, etc.), and appropriate service facilities for the promotion of young researchers (e.g., graduate centers, career centers, etc.). To enable universities the right to award doctorates, we believe that appropriate framework conditions must be created - even if they are resource-intensive and costly. Furthermore, doctoral representations must also be anchored at HAWs and their participation within the HAWs must be enabled.

For doctorates at universities of applied sciences, which continue to run via the cooperative doctorate model, we demand the following structural changes: the establishment of quality assurance at the university and HAW, the strengthening of the rights of supervision at the HAW (acceptance of HAW supervision), and a reduction of professional and administrative constraints.

Regardless of the institution that holds the right to award doctorates, appropriate doctoral conditions are the foundation that enables high-quality and scientifically innovative research work in the first place. Additionally, this is a key prerequisite for a diverse and yet sustainable higher education landscape as well as for the successful completion of high-quality scientific projects.

Yours sincerely

The Graduate School Representatives
of the **University of Bayreuth**

The Doctoral Candidates' Representatives of the
Friedrich-Alexander-Universität Erlangen-Nürnberg



The Graduate Council of the
Technical University of Munich



Graduate Council
Technische Universität München

The Doctoral Candidates' Representation of the WIN (Center for Graduate & Postgraduate Researchers) at the **Universität Regensburg**

The Doctoral Research Councils at the
Julius-Maximilians-Universität of Würzburg

References:

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- [2] <https://offener-brief-hochschulreform-by.de/brief/brief.pdf>
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- [4] <https://hochschulvision.bayern/>
- [5] <https://www.statistik.bayern.de/presse/mitteilungen/2020/pm175/index.html>
- [6] https://www.stmwk.bayern.de/download/13009_Grundsaeetze_Befristungen_Fassung_2019_mErgDKuSG.pdf
- [7] <https://nacaps-datenportal.de/indikatoren/A2.html>
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