

PUBLIC PARTICIPATION IN THE GOVERNANCE AT THE HIGHER EDUCATION IN UKRAINE

The scope of power of certain university governing bodies primarily depends on the level of deregulation in higher education and the university itself. The autonomy of universities is divided into several types upon the criteria of power application: academic, administrative and financial¹. Moreover, the cases of completely independent universities are extremely rare – researchers mostly assess the extent to which universities are autonomous.

Academic autonomy is mainly related to the content of study and research programs, in particular, it is about the extent of universities' ability to open new programs at own discretion, define programs' duration and content, define quality assurance tools, establish criteria for applicants' selection, award diplomas and degrees, and also independently recognize diplomas gained abroad.

Administrative autonomy covers the formation processes of university governing bodies: appointment or dismissal of rector, academic councils, various boards; design and definition of university's structure; opportunity to enter into various agreements, establish other legal entities, choose criteria and hire or dismiss staff, determine the level of wages.

Financial autonomy of universities is mostly associated with the ability to manage funds (public or earned revenues), to sell or lease the property, borrow or place deposits, to determine the price for the services, and in fact determine the list of such services.

Usually the level of academic autonomy is largely regulated by the educational legislation, while administrative and financial autonomy is often determined not only by the laws on education or science but also by the budget, tax, customs, land, commercial and labor laws as many aspects are described there.

Ukrainian legislation in the field of higher education is currently in transition. The new Act "On higher education", which came into force on 1 September 2014, initiated changes in the regulatory field. According to the National Reforms Council, 19 out of 40 regulations envisaged by reform are adopted as of now². The many issues that remain without proper legislative

¹ Sometimes researchers distinguish more types. For example, the European University Association in its reports on autonomy shared administrative component of organizational and personnel. Estermann, T., Nokkala, T., Steinel, M., University Autonomy in Europe II: The Scorecard, EUA, Brussels, 2011

² http://www.centre-reform.org/assets/files/nationalreform_broshura_3.pdf

support have created so-called inactive rules. Apart from this, the rules that have full legislative support often diverge from their practical application.

Consequently, implementation of the new legislation is selective and, despite the common legal framework, in practice there are many examples of different levels of universities' autonomy, as well as public involvement in the management of universities.

ACADEMIC AUTONOMY

Ukrainian universities have legal autonomy to organize the educational process and determine the design of programs³. The state reserves the right to determine the state standards of higher education. However, these standards mainly describe framework questions: the total amount of ECTS credits needed to obtain the corresponding degree of higher education; list of graduate competencies; limited amount of normative learning outcomes; forms of certification of students; requirements for the internal quality assurance system; professional standards' requirements (if any)⁴. If universities want to obtain state accreditation and the state funding for their programs, they should be guided by the state standards when opening new study programs⁵.

Question of introduction of new programs in Ukraine currently lays in a kind of legal vacuum as neither new standards, nor government independent National Agency of Quality Assurance in higher education are created. The last one has to perform an expert assessment of program's ability to meet the requirements of standards, achieve stated learning outcomes, and actually establish whether these results were achieved. The old standards regulated not only the framework questions but also determined in detail 60-90% of study programs' content. At this time, the old standards are partly in force being only recommended for usage. Hence, now universities have even greater amount of power in determining the content and structure of their programs, and in the mechanisms of quality assurance, than envisaged by reform.

National Agency is the new public governance body which duties are described in 17-23 articles of Law on Higher Education. It is formed by 25 delegates from universities, National academy of science and branch academies, association of employers and congress of representatives of students' self-governance bodies. Employers delegate 3 members and students elect 2 members. Members of the Agency shall stay in office for the period of three years. The same person may not serve in Agency for more than two terms. Chairs and deputy chairs of the National academy of sciences and branch academies of sciences, rectors or founders of private higher education institutions may not be members of the Agency. Members of Agency elect its

³ Art. 32.2 of Law on HE

⁴ Art. 10.3 of Law on HE

⁵ Art. 7.6 of Law on HE

head and deputies. In addition, students and employers should be presented among members of expert councils formed by Agency. Councils should assess program's ability to meet the requirements of standards and Agency should decide whether to give accreditation or not taking into account council analyses. Currently Agency is being formed.

Admission to universities is based on the results of independent external testing, while universities are allowed to carry out their own selection process only for certain programs (arts, sports, etc.). Higher education institutions set their own rules of admission for the entrants, but must take into account specific conditions formed by the Ministry of Education and Science (MES): ensured transparency of entrance campaign, compliance of entrants' registration procedure, calendar arrangement of the campaign etc⁶. Besides, MES determines the total amount of students in the program, and the amount of places that are financed by the state⁷. Meanwhile universities define subjects which test results are relevant to apply to the program and set the score to enroll into the program.

Ukrainian universities have only the nominal right to award scientific degrees as the National Agency concludes the conditions to award those. The National Agency also authorizes the universities to conduct such activities⁸. In addition, currently universities cannot recognize foreign scientific degrees on their own. In contrast, the recognition of BA and MA diplomas obtained in other countries is legally regulated and lays fully within the competence of universities⁹.

ADMINISTRATIVE AUTONOMY

Universities alone choose their governing bodies. However, the elected candidate for the position of rector is approved by the Ministry of Education and Science. Though it is more of a formality, as the Ministry cannot disapprove the candidacy if all the procedures were adhered¹⁰. Universities also have the right to change their own organizational structure and to set up separate educational or scientific institutions, as well as enterprises for conducting innovative or productive activities¹¹. Personnel policy is also fully within the competence of higher education institutions, except for the issue of guaranteed wage, which is state determined.

⁶ Art. 44 of Law on HE

⁷ Art. 13, 72 of Law on HE

⁸ Art. 18 of Law on HE

⁹ Art. 32 of Law on HE

¹⁰ Art. 42 of Law on HE

¹¹ Art. 70 of Law on HE

FINANCIAL AUTONOMY

Ukrainian state universities have the status of budget institutions which imposes on them a number of limitations and the need to coordinate many of their actions with the State Treasury and Financial Control. However, universities can place on accounts outside of the Treasury system, including bank deposits, the funds from tuition fees or other charged services, as well as the funds from international grants. Universities set the tuition fee level and the charge for other services on their own discretion¹². Though the list of such services is defined by the state. Besides this, universities do not have full possession of their property and do not have the authority to sell it freely, but they can lease it¹³. Contrary, private universities do not fall under listed restrictions.

PUBLIC GOVERNANCE ON THE NATIONAL LEVEL

In contrast to the National Agency which is to be formed there are couple public governance bodies on the national level which technically have been existing for quite a lot time.

Council of rectors is NGO which usually hosts conferences or other events and sometimes declare statements on current educational policy.

Advisory Board of the Ministry of Education and Science is formed and chaired by the Minister. Level of Board's influence depends on the Minister policy. Mostly Board decides on issues which has ceremonial character (awards, competitions, titles etc.). Sometimes Minister consults with the board some conceptual matters like entrance campaign rules or key quality assurance policy steps. Anyhow, it is the Minister who decides whether to implement Board's decision or not. Currently there is 5 NGO representatives, 1 head of national trade union, head Council of rectors among 36 members of Board which is mostly formed from ministerial officers¹⁴.

In addition, there is no any special laws on participation in governance in higher education for Rector's council (like any other NGO), Advisory Board of the MES.

Distribution of rights and duties within the university

Rector, academic council, supreme collegial body of public self-governance at the university, heads of departments, students' self-governing body, supervisory board, different task forces and temporary commissions are all involved in the process of HEI management.

¹² Art. 70 of Law on HE

¹³ Art. 73 of Law on HE

¹⁴ List of members <http://mon.gov.ua/about/kolegiya-ministerstva/normativna-baza.html>

RECTOR

Of all governing bodies the university head has the vastest amount of authority and responsibility. In fact, he or she directly controls the activities of higher education institution and, unlike other bodies that gather at certain intervals, rector is permanently coordinates vertical lines of staff administration at university.

Article 34 of Law on Higher Education prescribes rector's duties. Within the scope of given mandate rector is responsible for organizing and maintaining current activities of a HEI, financial and business operations, implementation of a financial plan, managing property and funds, and for financial discipline in every department. He or she defines the structure of higher education institution (with approval of academic council) and staff list, hires and fires any staff or faculty member, outlines their duties and controls the quality of their work. Together with trade union organizations rector sets the internal rules and forms a collective agreement, which afterwards signs provided that the supreme collegial body approved them. In addition, university head guarantees the rule of law and ensures conditions for public monitoring at HEI, for activities of students' self-government bodies, trade union organizations and non-governmental organizations.

As for academic duties, rector ensures the conduction of entrance campaign and enrollment, organization of control over curricula performance and course syllabi. He or she also takes the final decision for expulsion (or resumption) of students, but upon agreement with students' self-government body and primary trade unions of students.

Under some circumstances rector could share his or her duties with deputies or deans. Though, in any case it is the rector who is responsible for the implementation of all these duties before the founder of HEI or its authorized body which, in fact, hires him or her after this person is elected by general elections at HEI.

Deans essentially perform the same functions as rectors, but within certain structural units (departments, institutes) and within those competencies that do not contradict the authority of rector¹⁵.

Both rectors and deans may be in office no more than two terms that last up to five years¹⁶.

According to the Article 42 of Law on Higher education heads of each HEI regardless of their ownership status are elected on direct elections by secret ballot allowing the chance to vote to

¹⁵ Art. 35 of Law on HE

¹⁶ Art. 42,43 of Law on HE

all full-time faculty members, elected representatives from staff and elected representatives from students. Not less than 75% among voters should be faculty members, not less than 15% - students and not more than 10% - staff. The winner should get 50%+1 vote. Direct elections are fully implemented in practice. More than 40 direct election have been held since fall 2014, including some largest universities such as Taras Shevchenko National University of Kyiv or Kharkiv aviation institute. Direct rector elections is a relatively new practice for Ukraine, introduced by the new Act "On higher education". Some link its core mission to the raise of duty awareness among newly elected heads towards academic community and students. However, primary reason for the implementation of direct elections instead of elections of electors is the aim to increase responsibility awareness for the elected rector among academic community itself. So, the efficiency of such instrument depends directly upon the level of culture of representative democracy. The current experience of direct elections shows that its level remains low. For instance, during elections in Kyiv-Mohyla Academy (HEI with relatively high student activity) not all attempt to elect student electors were successful for the first time – sometimes students didn't show any interest for the opportunity to take part in direct elections.

Firstly, most universities lack the healthy environment of teachers and students who are eager to make some efforts to arrange transparent rector elections. Such people could act as observers of the electoral process, organize debates between candidates, engage media to cover the process, conduct a parallel vote count. Sometimes candidates do not offer any program of future activities. If there are such, then, there is an evident lack of independent assessment of stated promises (activities, timing, resources, indicators), their clarity and feasibility. For instance, whether the program is in compliance with legislation and list of rector duties, or whether the financial, material and human resources are available for the implementation of stated promises. Unfortunately, it is a popular practice for candidates to avoid debates or public discussions about their programs. For example during elections in Vinnytsia State Pedagogical University some candidates refused to take part in debates. Finally, in order to maximize the level of participation and spread the culture of conscious choice, the work of informing and encouraging students and student electors should be done, as today's Ukrainian universities miss out on it.

ACADEMIC COUNCIL

Academic Council is a collegial university body which addresses the issues directly related to the educational and scientific processes, as well as strategic issues. Article 36 of Law on Higher Education prescribes duties of academic council.

It is the academic council which defines the HEI strategy and main areas for the development of educational, research and innovative activities, approves financial plan and annual financial report, as well as elaborates the draft statutes before it is passed for approval to the supreme collegial body of public self-governance.

As for academic duties, council defines the system and approves procedures for internal quality assurance, evaluates academic and research performance of structural divisions, outlines termination for study programs and requirements for graduates; grants academic titles of professor and in general handles most issues regarding organization of educational process. Apart from that, academic council recognizes foreign diplomas, scientific degrees and academic titles when hiring new faculty members or administrative staff or during entrance campaign.

Council's authority also complements the authority of rector to a certain point. Thus, it approves curricula for each level and study program, afterwards rector should take control over curricula performance. By secret ballot academic council elects deans, academic department chairs, professors and associate professors, head of the library, and heads of branches. And then, rector appoints the winners of elections and signs contracts with them. Upon representation from the university head, academic council also makes decisions on establishment, reorganization and elimination of department or other structural units. Moreover, before placing a deposit in a bank rector should get sanction from the academic council.

De-jure academic council could oppose the rector and even has the right to appeal to supreme collegial body of public self-governance asking for withdrawal of the HEI head as a result of violation of laws, statutes or contract between rector and founder. However, it hasn't got down to it once.

In practice, rector often runs the academic council (even though one should not). The presence of deputies and some representatives of administrative staff in the council creates considerable support of rector among council's members during voting process. Moreover, the decisions of academic council come into force only after rector's order. Consequently, academic council is not fully independent from the influence of the head.

According to article 36 of Law on HE rector, deputy rectors, dean, academic secretary, director of the library, chief accountant, heads of self-governance bodies, heads of primary trade union units (students and faculty) are members of academic council by default. Another part of council is elected once in five years by the supreme collegial body of public self-governance that chooses among candidates who are previously proposed by departments' collegial bodies. In addition, students should elect their own representatives in direct elections. If academic council

decides so it could include representatives of employers' organizations, which is really rare practice. As a result, at least 75 per cent of council shall be constituted of faculty members (senior administrative staff are also considered as such) and at least 10 per cent shall be elective representatives of students.

SUPREME COLLEGIAL BODY OF PUBLIC SELF-GOVERNANCE

Article 39 of Law on Higher Education prescribes duties of supreme collegial body of public self-governance (SCG). It consists of delegates from faculty members, administrative staff and elected representatives of students. Faculty members (senior management among them) should represent not less than 75% of this body and students – not less than 15%. Ordinary SCG gathers twice a year for some major activities. It votes for new statutes or amendments to it, listens to rector's annual report and assesses it, elects committee on labor disagreements. Sometimes SCG is used as a platform for public hearings. Also SCG could withdraw rector, but only if 2/3 of SCG members vote for that.

STUDENTS' SELF-GOVERNMENT BODIES

Students' self-government bodies (SBB) represent the right and the opportunity of students to influence decisions about educational process and every day life, as well as the students' protection of rights and interests. It also stands for the possibility to participate in the HEI management process.

Legally students are guaranteed many rights. Most of these rights and responsibilities are related to the access to education and participation in the learning process. Students have the right to free provision of information for learning, free use of libraries, educational, scientific and sporting bases, provision of dormitory, merit-based and social-based stipends, academic mobility, liberal art education (choice of 25% of study program), the right to interrupt education and resume for its continuation etc¹⁷.

At the same time, students should comply with the legislation and statutes of HEI and fulfill the requirements of a study program.

In order to protect these rights and interests students are legally guaranteed the involvement in activities of supreme collegial body of public self-governance of the HEI, institutes, faculties, departments, academic council of the university, students' self-government body¹⁸. In addition,

¹⁷ Art. 62 of Law on HE

¹⁸ Art. 40 of Law on HE

the last one can be carried out by students in two ways: directly or through the student government, elected on students' direct election by secret ballot.

Using the last stated principle students elect their representatives to the academic council. The elected are required to be students and together form not less than 10% of the composition of academic council.

In addition to the academic council, representatives of students participate in the SCG, where they make up at least 15% of the composition¹⁹.

Also students elect their representatives to vote on the rector's elections. At least 15% of those who are empowered to elect should be pre-elected by the students and among students by secret ballot. Taking into account that each full-time faculty member has the right to vote that could be quite a big amount of votes. For example, in universities with approximately 1000 full-time professors and teachers there should be 200 pre-elected student representatives among voters.

Apart from that, student annually elect their students' self-government bodies which should follow 4 main principles: voluntary participation, collegiality, openness; electiveness and accountability; equal rights of students to participate in students' self-government; independence from influence of political parties and religious organizations (except theological higher education institutions). Article 40 of Law on Higher Education prescribes duties of SBB.

SBB may assume forms of parliament, senate, student rector's office, student dean's office, student councils etc. SBB may be registered as a non-governmental organization according to the existing legislation. Duties and rights of self-government bodies are concerned at a different extent in all three dimensions of HEI autonomy. Firstly, they can be engaged in the decision making on the improvement of educational process, scientific and research training, participate in quality assurance activities. They can also submit proposals into curricula and study program. As for the financial issues, SBBs have the right to be involved in the process of granting stipends, they can handle dormitory related issues, may submit proposals about the development of the university material base, as well as the procedure of formation and level of tuition fees. In the administrative sphere SBB protects the rights and interests of students. The following decisions should be approved by SBB before final verdict: expulsion of students and their resumption for study; transfer of students from non-fee to tuition fee status; appointment of deputy dean, deputy

¹⁹ Art. 39 of Law on HE

rector; dormitory activities, granting place in the dormitory and expulsion from the dormitory; approval of internal rules and procedures at HEI (only parts that concern students).

The tools for implementation of such authority is the guaranteed funding from the university budget and students themselves. Academic council should allocate at least 0,5 % of universities revenues (from paid services) for the need of students' self-government. Also students' self-government body could establish membership fees paid by students. The amount of monthly fee per person may not exceed 1% of so called minimum living wage. In addition, rector shall ensure proper conditions for activity and operations of SBB (provide premises, furniture, office equipment, telephone communication, permanent Internet access etc.) - all that should be enforced by special agreement.

Members of SBB are also members of academic council (along with directly elected students' representatives). SBB also takes part in different temporary and permanent commissions at HEI. On the other side, administration of a higher education institution may not interfere with activities of SBB.

Most of the time those legislative norms are not fully brought into practice. On the one hand, relatively low activity and interest of students to be engaged in HEI management plays its role. Quite often students do not know their rights and duties. Different monitoring researches²⁰ confirm that Ukrainian students show vanishingly small culture of academic integrity, and there is a significantly low demand on high-quality education: interest mainly in obtaining a formal diploma of higher education, not knowledge. Under such circumstances the elected students' representatives or students' self-government bodies do not feel proper support and mandate of trust, thus they cannot actively use the most effective tool to influence the policy within university – reputational pressure, as students' environment tolerates manifestation of bad faith.

On the other hand, there are also some system difficulties which limit the activity even of the students' self-government which is supported by at least some groups among students. First of all, universities usually try to save on the expenditures intended for support of students' governments. Formally, they can meet the requirements of the legislation providing funding for such payments as of utility services, and presenting it as support of SBB's activity. This problem can be solved by the introduction of a separate account exclusively for SBB. However, it will also require additional financial discipline inside SBB, and, for instance, assistance of an accountant on a paid basis. This way funding of real needs and activities of SBBs can be achieved. Second of all, university administration tries to restrain students' activity in the spheres

²⁰ Democratic initiatives (2014) <http://www.dif.org.ua/ua/polls/2015a/visha-osvita-v-ukraini-gromadska-dumka-studentiv-1433936412.htm>; Institute for Education Development (2015) <http://iro.org.ua/ua/main/research/22>

where it may hurt administration's reputation. A striking example is a mass sabotage of launch of students' questionnaire about the quality level of higher education in their HEI. Third of all, real lack of funds in most universities often does not allow students to realize their rights during study. For instance, extremely important right to choose subjects granted by principle of Liberal Arts Education. According to preliminary estimates of CEDOS think tank²¹ only 10-15% of universities can guarantee students the right to a real choice of subjects that would allow to form own educational trajectory.

EMPLOYERS

According to the law, general state policy in the sphere of higher education funding should include the needs of an individual, interests of the state, local communities and employers. The last ones should be represented in the earlier mentioned National Agency for Quality Assurance as 3 of 25 members of Agency²². They should be included in the elaboration of new higher education standards, they could also take part in final examination (certification) of graduates²³. In addition, representatives of employers could participate in academic council, if it decides so²⁴.

In order to perform supervision of the institution's assets management and devotion to its original purpose, supervisory board should be active in HEI. However, it does not have many rights or instruments to do its supervision mission. Its members could have advisory vote during supreme collegial body of public self-governance meeting. Like academic council, supervisory board could appeal to supreme collegial body of public self-governance asking for withdrawal of rector after he or she violates laws, statutes or contract.

For the purposes of strategy elaboration rector could set up different advisory bodies (council of employers, council of investors, council of businesses, students' council, scientific council, etc.)²⁵.

The role of such board is pretty nominal. Firstly, the law does not regulate the issue of conflict of interests and does not prohibit university management to form composition of advisory board at their discretion. Most often they include local bureaucratic elite, which could provide useful contacts for possible forthcoming lobby of personal interests. Secondly, there are no effective

²¹ Final results of this monitoring will be published in January 2016.

²² Art. 35 of Law on HE

²³ Art. 6.2; 13.6 of Law on HE

²⁴ Art. 36 of Law on HE

²⁵ Art. 38.2 of Law on HE

mechanisms of rotation of supervisory board members. Thirdly, supervisory boards have no much powers to conduct effective supervision.

TRADE UNION

The functioning system of trade unions in HEI is inherited from the soviet past. That is why despite the fact that there is no such profession as “student”, universities have functioning both students’ and teachers’ trade unions. Heads of the unions participate in the work of academic council. Teachers’ trade union agrees upon occupation instructions, which are approved by the rector. Also trade union organizations approve internal rules and a collective agreement before rector passes them to supreme collegial body of public self-governance for final confirmation²⁶.

In reality students’ trade union has a role in intermediary procurement of monthly students’ travel documents and does not engage in the protection of students’ rights. As the matter of fact, the union is often led by a person who is far from being a student. Indeed, contrary to the students’ self-government, legislation does not provide trade unions with any effective powers to represent the interests of students. That is why there is a need for the cancellation of such phenomena as students’ trade union.

Similarly, teachers’ trade unions rarely stand up for the labor rights of the teachers, even though it is their key role. The most common violations in the sphere of labor law (unpaid labor, forced unpaid leave, illegal dismissal, violations during recruitment etc.) are ignored by unions. The problem is that teachers do not actually expect protection activity from the trade unions. The National university teachers’ survey show that 71% find the work of trade unions effective, while 42% attribute violation of their rights and inefficient management in their HEI to the major problems of higher education²⁷. It means that the teaching staff does not perceive trade union as a means of influence on the policy of university’s management, rather as the tool to handle everyday life problems: the distribution of vacation tickets, payment of financial help and others.

²⁶ Art. 34.11; 34.18; 56.4 of Law on HE

²⁷ CEDOS think tank (2013) - <http://www.cedos.org.ua/uk/osvita/sotsialno-ekonomichniyi-ta-profesiinyi-portret-ukrainskoho-vykladacha>

RECOMMENDATIONS

In order to improve the efficiency of public participation in the HEI management process, the system of university governing bodies should be balanced in the first place. The duties should be distributed based on the principle of subsidiarity, under which management of higher level takes responsibility and authority only if at a lower level those cannot be implemented or their implementation would be less effective.

For example, rector cannot organize an effective control over curricula performance and course syllabi. In this case rector should become a guarantor of compliance with the state higher education standards. He undertakes these obligations by signing a contract with the Minister of Education. Instead, the duty of monitoring of curricula performance and course syllabi has to be the competency of academic council, system of internal quality assurance and teachers' together with students' engaged in the study program. Rector also cannot effectively supervise the quality of faculty and staff work. These duties should be delegated to deans and heads of departments. The authority and responsibility of rector should be linked more to the results than to the process. This way an adequate evaluation of efficacy of HEI head's work will be possible, eventually²⁸.

Academic council activities should be free from rector's influence. Firstly, rector should not be the head of academic council, as this way he or she controls its ongoing work and agenda. Besides, it is advisable to withdraw the administrative staff from the academic council, because they often lobby the interests of rector during the decision process.

The culture of representative democracy will appear among teachers and students only if the electors' mandate of trust will become less abstract and more accountable instead. One of the steps that will facilitate this, will be the introduction of mandatory programs of candidates' for the position of rector, which in the case of victory should become an appendix to candidate's contract with the Minister. Thus, failure to meet the pre-election promises will be counted as the violation of the contract, which in such terms will be the ground for termination of the contract. Moreover, the threshold of votes for rector's withdrawal should be reduced – instead of standard 2/3 of supreme collegial body of public self-governance a simple majority will be sufficient.

Another problem that needs to be solved is the current weakness of the supervisory boards at universities. First, it is needed to distance them from the influence of university management. For example, their formation should be within the purview of the founder of the university. They should not include persons who have an active direct connection with the university or relatives

²⁸ For the first time author heard these ideas from prof. Volodymyr Bakhrushyn

of someone who has. In this situation, employers who are interested in the HEI graduates become the most probable potential members of the Supervisory Board. Secondly, the supervisory board needs to be given real power to control the university budgeting, expenditures, distribution of payroll and the execution of development strategies. In particular these authorities should include the possibility to initiate early withdrawal of university management (not only of rector) for the failure of development strategies. But first, strategic planning should become an integral part of building a successful university. Experience shows that proper strategic planning is able to present tangible and intangible benefits, improve financial performance, increase opportunities for savings and efficient use of resources, help to determine priorities. Also appears the possibility to predict both future problems and minimize the impact of unfavorable factors, and the emergence of additional features and fully use them. As a result, it leads to faster process of decision making, efficient operation, thus the motivation and labor satisfaction increase, and university prestige before the students grows.

Simultaneously with the legislative changes, it is needed to create proper work conditions for the supervisory board. First of all, it is about transparency and accessibility of administrative and financial information. However, the practice of legislative regulation of transparency issues happened to be of low efficiency, if there is no understanding (among management) of openness as an instrument to increase liability and attract additional funds. Open financial statements are the common practice in many Western universities, because they are interested in an image of a transparent institution which uses resources in the most efficient way. This helps to build relationship on trust with all possible sources of funding - both state and private donors. Financial transparency is particularly important when collaborating with the last ones since it helps to establish long-term partnerships: transparency and detailed reporting serve as a guarantee of proper funds usage in the future.

Transparent managerial mechanisms are important both for the university community and the interaction with the governing bodies. Administrative transparency allows the university community to not only know their rights and obligations, but also to use them effectively, to protect the individual and collective interests.

Eventually, available information about program's content, faculty members and expected learning outcomes and skills, which graduates can easily access, helps to develop a proactive student community. Information about the program and ability to assess this information are the two main conditions for a more conscious and informed choice of university and specialty. As a result, university increases its chances of getting students who are more motivated and more

demanding. From the very beginning such students will be more interested in the knowledge, than in a formal diploma.

It is important that during the actual learning this motivation to study does not fade away. Thus, the university should provide students with an active participation in shaping of their educational trajectory. In fact, study programs should be planned based on the final competencies of graduates (so called student-oriented program design), and not on the needs to provide teachers with work. This approach requires transparent personnel policy and opportunity for public oversight of how salary rewards and bonuses are formed (which is described above).

The introduction of recommendations stated above will require not only the legislative changes. Their viability depends on structural changes of external circumstances (the war, the restoration of financial resources, coordination of the coalition, rule of law and inevitability of punishment), and upon the changes in the higher education system. This, in particular, includes increased awareness of tools and goals of reform among key stakeholders, decreasing demand for low-quality education among students and teachers, increasing number of data about industry and its quality analysis, and improvement of management's quality at all levels.