

REVIEW OF THE PROJECT REPORTS „MONITORING OF PUBLIC PARTICIPATION IN HIGHER EDUCATION SYSTEM GOVERNANCE IN EP COUNTRIES (UKRAINE, BELARUS, MOLDOVA)“

The project reports on three EP countries (Ukraine, Belarus and Moldova) are rather different both in terms of the structure and of the contents. The first part of the Belarus report mainly focuses on external governance within the system of higher education (The President, the Council of Ministers, the Ministry of Education, the local administrative authorities). The second part is dedicated to manifestations of institutional, organizational, financial, staffing and academic autonomy of the universities. The Moldova report describes the legal basis of the higher education and the statutes of selected universities. Ukrainian report represents an intermediate case which concentrates on an institutional level in a more general way without describing the statutes of particular universities. The Belarus report chose a more quantitative approach by applying the methodology of European University Association and evaluating the level of institutional autonomy by using a set of indicators. The Moldova and Ukraine reports are based on a more descriptive analysis, therefore it is not easy to compare the three reports as they are based on different methodological approaches. However, all three reports in a certain way complement each other and provide a rather explicit view of the developments in all the countries reviewed during the monitoring process.

The contents of the reports reveal that the situation in Belarus is essentially different when compared with Moldova and Ukraine. Both in Moldova and in Ukraine the situation is due to change after the adoption of recent Laws on Higher Education. They are aimed at substantial modernization of governance in higher education and provide better opportunities for public participation. In Belarus one can observe a movement towards the opposite direction, where the amendments to the current Law on Education are aimed at further restrictions of the institutional autonomy. The report on Belarus demonstrates that a variety of different public, expert, coordinative and other councils existing under the auspices of the Council of Ministers in fact doesn't mean the stakeholder involvement as they are appointed by state officials and are not granted any decision-taking powers. The report reveals a paradox that theoretically there is a long list of coordinative councils – even a coordinative council for „working out a business style clothing for learners“ – though in fact all these councils are powerless in terms of governance. As we can judge by the description provided in the report, they can ask, recommend or even

protest, but in fact these institutions have no real opportunities to participate in the process of making decisions.

Similar situation with stakeholder involvement is on the institutional level. Rectors are not elected by the Senate or the academic council as they are appointed by the President, the Government or the Minister of Education. The most surprising fact is that even a Rector of private higher education institution is appointed by the Minister of Education. The procedure of involving external stakeholders into the university council is also not specified. According to the report, employers and other stakeholders are almost non-represented in university councils, though formally such a possibility exists. Boards of trustees, which are present in a number of universities, have no real powers of influence. Formally, the students as stakeholders have a right to participate in the governance of higher education institutions. Student representatives comprise 25 percent of the university council. However, students, according to the monitoring results, are usually not elected but appointed by the administration. All decisions taken by the student councils are not valid until they are approved by the university administration. Student organizations are not independent legal entities and thus have limited possibilities to represent students' interests.

Report on Belarus does not provide any suggestions or recommendations and reflects a rather pessimistic outlook at possibilities of public participation in the governance of higher education institutions. Both sides – the state and the stakeholders – seem to be not ready for such involvement. State demonstrates a total distrust towards any manifestations of genuine public activities, while students, employers and other stakeholders seem to show no active interest in greater involvement in the governance of higher education institutions. In short, there is still a long way to go in order to rearrange the university governance along the lines of the institutional autonomy as it is perceived in a European Higher Education Area.

Report on public participation in the governance of higher education institutions in Ukraine is very different in its mood. The new Law on Higher Education, which came into force on 1 September, 2014, initiated a number of changes in the regulatory field. However, it seems that a system of higher education is still in the process of transition. There are still many issues that remain without proper legislative support. In particular, the independent National Agency of Quality Assurance, which is supposed to represent interests of stakeholders in providing expert assessment of study programs, is not yet established.

A very important aspect of institutional autonomy is the fact that universities alone choose their governing bodies. However, though the report claims that it is more a formality, the elected rector

has to be approved by the Ministry of Education and Science. It's also important that both rectors and deans may be in office no more than two terms each of which lasts up to five years. Another indicator of autonomy is the fact that rectors are elected on direct elections by a secret ballot allowing to vote all full-time faculty members, elected representatives of the students and elected representatives of the staff (75, 15 and 10 percent accordingly). The fact that students do not always show a high level of interest in the election process is not surprising as it needs time and expertise in order to get actively involved in the university governance processes.

Academic council has enough decision-making powers, though it is not fully independent from the influence of the rector. It's also very important that 10 percent of the council are the elective representatives of the students and that it can include the representatives of employers' organizations, though it is still a rare practice. Experience is needed in order to get used to the new practices of governance and at the present moment the crucial aspect is the legal basis which is a necessary precondition for the development of these practices.

The supreme collegial body is also an significant step towards greater university autonomy. Though it doesn't exercise much of decision-making powers, it implements an important function of monitoring the processes of internal governance. It's an undoubtedly positive fact that students are involved. No less important is the fact that some external stakeholders can also be represented in the supreme collegial body.

The author of the report is right by stating that the role of the supervisory board and different advisory bodies in terms of governance is often pretty nominal. Usually supervisory boards have limited possibilities to conduct effective monitoring and supervision. However, such bodies play another significant role – they provide opportunities for establishing and maintaining contacts with different public interest groups and partner institutions.

We could question the necessity of the student trade unions as the students' rights are represented by students' self-government organizations. What concerns the university teachers' trade unions, they have a legitimate right to exist though usually teachers tend to solve their emerging problems with the help of their representatives in the university self-governing bodies like the academic council and the supreme collegial body.

Recommendations presented in the final part of the report are detailed, actual and constructive. An important remark is that the duties in the university should be distributed according to the principle of subsidiarity. The common problem of university management is that the top management tries to control processes which can be dealt in the effective way on the level of

faculties or other institutional departments. Another important suggestion is that rector should not be the head of the academic council because in this case we could reach a more adequate distribution of power within the university. The same can be said about the suggestion to distance the supervisory boards from the university management. A supervisory board should become an effective instrument of external control – not by including into the board the Ministry officials, but by inviting the well-known and respected public representatives and employers. Financial and managerial transparency is also of crucial importance, as well as a detailed information about the study programs. All information of that kind should be easily accessible online and would help to involve key stakeholders more actively in the process of monitoring and supervising the university activities.

The report on Moldova reflects a situation which is in many aspects similar to that of Ukraine. According to the report, educational reforms in Moldova, which started in 90-ies, were not very effective and mainly resulted in numerous amendments in national legislation which did not bring many changes in practice. Finally, in July, 2014 a new Law was adopted which is expected to rearrange the sector of higher education fully in accordance with the Bologna ideas. The Law indicates that the governance of higher education institution includes the Senate, the council (board) for strategic institutional development, the academic council, the administrative council, etc. The Senate has decision-making powers in key areas of university activities, including the strategic planning, the budgeting, the regulations of recruiting the academic staff, electing the rector, etc. The council (board) for strategic institutional development is a new structure which is supposed to monitor the implementation of strategic plan and the effectiveness of financial spendings of the university. The council (board) has nine members and partially consists of external stakeholders, including three candidates suggested by respective ministries (however, do not belonging to the staff of the Ministries) and two candidates, suggested by the Senate, who are external experts. Chairman of the council (board) is also elected from the candidates representing external stakeholders. According to our understanding, the council (board) can become an effective instrument of involving key stakeholders and assuring the permanent external monitoring of the university governance. The interests of the students should be assured by involving representatives of students in the activities of the Senate and the boards of the faculties, where, according to the legal regulations, they should constitute one-fourth of the members. Among the problems which pointed out the Alliance of Students of the Republic of Moldova is the lack of experience of working in the governing structures, and, what is even more important, student organizations do not have the status of legal entities.

An interesting suggestion is to include the parents of the students in the process of the monitoring and securing the students' rights. However, the Law does not specify the mechanisms of involving the parents of the students in the university management structure. The number of their representatives in the Senate or other institutions of self-governance is not indicated in the Law. The legal documents also do not reflect the mechanisms of involving employers and do not define the role of the board of trustees. On the other hand, the institutions defined in the Law seem to be sufficient for optimal distribution of power and provide good opportunities for public participation in the governance structures.

The report also reviews the Statutes of selected universities in order to illustrate how the principles declared by the Law on Higher Education found their reflection in internal rules and regulations of higher education institutions. The general conclusion of this review is that the Statutes tend to meet the requirements defined in the Law on Higher Education.

Recommendations presented in the final part of the report are rather concise; however, they reflect the key areas of further development in order to achieve wider public participation. Among the most important tasks is the further development of cooperation with public institutions and social partners, as well as strengthening the financial and legal autonomy of student organizations. What concerns the boards of trustees and cooperation with parents of students, it can be considered as one of the means of strengthening social partnership but the current involvement of stakeholders in the decision-making process and distribution of power within the university seems quite sufficient.

Although there are certain minor differences in the governing structures of higher education in Ukraine and Moldova, both countries have achieved essential progress in seeking for university autonomy and public participation in higher education sector. The main challenge for both countries is to implement the recently adopted legislation into the everyday academic practice. The Belarussian case is significantly different. Though Belarus recently became a member of the Bologna process, there is still a long way to go towards the implementation of the ideas of the Common European Higher Education Area, including the idea of the academic autonomy, and there are no sound indicators to believe that this will happen in the nearest observable future.