



Tempus Seminar on University Governance

National Report (will be finalized on the results of the seminar)

1 Country: UKRAINE

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Part 1 – Overall description of the ongoing national reforms and initiatives in University governance

Ongoing legislative initiatives in Higher Education of Ukraine:

- In 2006, the Bologna Follow-Up Group and the National Team of Bologna Promoters were established.
- In 2007, the Ministry of Education and Science of Ukraine (MESU) approved an Action Plan "On quality assurance for higher education of Ukraine and its integration into the European and world educational community for the period until 2010" (Order No. 612 of the MESU dated July 13, 2007).
- In 2006/2007 academic year, a pilot European Credit Transfer System (ECTS) was launched at the Ukrainian higher education institutions of III-IV accreditation levels.
- In December 2007, the Ukrainian Student Self-Government Association became a member of the European Students' Union.
- Since February 2008, a draft Law of Ukraine "On Amendments to the Law of Ukraine on Higher Education" is being developed. The draft Law incorporates, to a certain extent, the standards and guidelines of the European Higher Education Area (EHEA), reflected in the main documents of the Bologna process, and encompasses the following changes:
 - elimination of higher education levels (incomplete, basic, complete);
 - elimination of the educational qualification level of "specialist";
 - elimination of higher education institutions accreditation levels (I-IV);

- introduction of an educational-academic PhD level (Doctor of Philosophy);
 - introduction a clear distinction between HEIs (classical/specialized university, academy, college, vocational school);
 - expansion of the university autonomy and academic freedoms, as well as self-government in HEIs; in particular, a number of rules related to finance (the right to open accounts, to take bank loans, avoid tender procedures, the right to determine tuition fees etc.) are to be introduced.
- In 2008, MESU working group for the development of the National Qualifications Framework for Higher Education System was established (Order No. 602 of the MESU dated July 03, 2008).
 - Since 2008, a draft Law of Ukraine on the National Qualifications System is being developed under the initiative of the Confederation of Employers of Ukraine and the Verkhovna Rada Committee on Social Policy and Labour. A conference of the Academy of Pedagogical Sciences of Ukraine devoted to the National Qualifications Framework issues is scheduled for March 2010.
 - In April 2008 Ukraine became a full governmental member of the European Quality Assurance Register (EQAR).
 - Since 2008, Higher Attestation Commission of Ukraine and Verkhovna Rada Committee on Science and Education have been developing draft laws on attestation of research personnel and academic staff with the highest qualification (Candidate of Sciences and Doctor of Sciences) that were discussed at the national level but didn't have support of major stakeholders.
 - Since 2009/2010 academic year, the European Credit Accumulation and Transfer System (ECTS) has begun to be implemented at Ukrainian HEIs, with its key documents (Student Application Form, Learning Agreement, Training Agreement and Quality Commitment, Transcript of Records, European Diploma Supplement) in compliance with the requirements of the ECTS User's Guide approved by the European Commission on February 6, 2009 (Order No. 943 of the MESU dated October 16, 2009).
 - On January 19 2010, the Law of Ukraine "On Amendments to the Law of Ukraine on Higher Education Regarding Student Self-Government" (№1798-VI) was passed.
 - The most recent MESU initiatives include: introduction of HEIs rating system in compliance with the Berlin Principles; independent testing for secondary school graduates; revision of mechanism formation for the state order of student tuition in HEIs; development of a Master's programme conceptual framework; establishment of research universities; as well as the debate on National Qualifications Framework, National Qualifications Framework Level Descriptors, National Qualifications Agency, National Education Accreditation Centre.

Factors which do not contribute to enhancing the quality of higher education in Ukraine:

- The legislative framework for HEIs operation is not supported by the necessary statutory instruments and bylaws (regulations, procedures, criteria, standards, guidelines).
- Over the last eighteen months the principle of public-civic governance started to dominate in HE in Ukraine.
- National standards applicable to curricula are rooted in outdated approaches, rather than in a contemporary competence-based approach.
- Existing non-governmental organizations (various Rectors' Unions and University Associations) are involved to consultations on the national HE policy however do not considerable influence.
- The non-optimality of HEIs network (totally 861 HEIs, 27.7% being private institutions) suffers from a chronic lack of funding for their development. (In spite of the total decrease of GDP in Ukraine by approximately one third against 1990 level and population decrease over the same period by almost 12% (by six million people), the number of students in the country

has grown by 2.5 times. As a result, in Ukraine training costs per student are more than 10 times lower than training costs in HEIs in OECD and EU countries (despite the fact that the total funding for HE in Ukraine amounts to more than 2% of the GDP)).

- 92% of all Doctors of Sciences and 81% of all Candidates of Sciences in Ukraine work in HE system. Despite the foregoing, more than 50% of the research and academic staff of HEIs hold no academic titles or degrees, i.e. the highest qualification.
- 50% of HEIs do not conduct research. The amount of funding for research in HE does not exceed 5% (according to the legislation, it must equal at least 10% out of total HE funding).
- Salary levels of associate professors (docents) and professors are below those specified in the Law of Ukraine “On Education” (Art. 57), which stipulates that the salary payable to research and academic staff shall be twice the average salary in the industry.
- The absence of a Quality Assurance Agency meeting the standards and recommendations of the European Association for Quality Assurance in Higher Education (ENQA).

University autonomy:

- HEIs do not benefit from full academic freedom characteristic of the European HEIs; Ukrainian HEIs activities are regulated (and to a certain extent limited) by national authorities.
- In 2009, the MESU issued a series of bylaws and orders aimed at extending HEIs rights to determine the content and scope of the optional component of curricula.
- The current legislation does not provide for HEIs autonomy.
- Effective development of university autonomy in Ukraine can be achieved through the following objectives: development of the necessary legislation, decentralization of the university governance system, facilitation of HEIs as active market players, HE system internationalization via introduction of international education quality assurance systems, introduction of rotation among HEIs top management.

In the context of the Bologna process, national reforms proceed at a slow pace, due to the following reasons:

- Inconsistency of many provisions of national HE legislative and regulatory framework with the major principles of the Bologna process.
- Lack of specialists aware of contemporary trends in European education and utilizing this knowledge for the benefit of higher education.
- Orientation towards formal tools (regulations, procedures etc.) rather than HE policy development and implementation, which contributes to Ukrainian HE openness, transparency and recognition, its integration into European Higher Education Area.

Part 2 – Themes to be discussed during the working groups

Theme 1: From a regulatory state to a supervisory state: new mission and functions for the Ministries

1 – External governance - designing, implementing and evaluating national development strategy plans for Higher Education

- At present, under regulatory and legislative uncertainty, relations between the MESU and HEIs are characterized by direct management: direct orders regulating all aspects of HEIs activities including management of all resources; direct control over academic progress; centralized issuance of diplomas; a highly bureaucratized license issuance procedure, a non-transparent mechanism for determining students’ enrolment.
- The state’s key priorities with regards to HE reforms must include: refusal from political

considerations during reforms planning and implementation; systemic approach to reforms; professionalization of HE governance; involvement of all stakeholders; result-oriented assessment of HEIs performance; development of long-term HR policy; formation and implementation of a strategic plan for HE development based on the Human Resource Management, procurement management, and quality assurance.

- The MESU initiatives should pass an independent external peer review by international community and national stakeholders.

2 – External governance - appropriate role in curricula and degrees (freedom, guidance, control)

- HEIs should be granted the freedom in designing curricula and syllabi, in issuing double diplomas, in particular, for international certification and accreditation of individual courses and curricula.
- Contemporary qualification requirements (competencies) should be defined; educational programs should be developed in accordance with the above requirements and market demands, the needs of specific regions and the civil society should be considered.
- Professional training in the HE system and curricula should be developed by HEIs with the involvement of all stakeholders (including employers).
- Entitling HEIs to award educational qualifications of the third cycle degree (PhD).
- Development of transparent and clear mechanisms to ensure education quality control in compliance with the standards and guidelines of the European Association for Quality Assurance in Higher Education (ENQA).
- Quality control by independent agencies during HEIs accreditation and ranking.

Theme 2: Towards autonomous and accountable universities: financial and human resources management in a context of autonomy

3 – Governance implications of new budget responsibilities: consequences in terms of organisation, procedures and human resources

- To ensure financial independence of HEIs, it is necessary: to grant HEIs the right to manage funds, and, in particular, resources accumulated through fundraising activities; to create transparent mechanisms for financial management stimulating development; to ensure transparency of HEIs financial and economic activities; to stimulate the development of HEIs as active market players through credits and loans, sponsorships and investments, commercial agreements etc.
- Stimulating businesses to contact HEIs for R&D and other services, including tax benefits, depreciation policy etc.

4 – Governance – role and responsibilities in recruitment, retention, rewarding, developing and evaluating academic, technical and administrative staff

- Promotion of project based approach into HEIs activities.
- Implementation of contemporary instruments for planning and results evaluation, including strategic management, organizational development, performance monitoring and team planning of activities, personnel recruitment and career development.
- Introduction of a transparent rotation mechanism for HEIs management and effective system for their recruitment, professional development and training.
- Development and introduction of transparent personnel assessment criteria and financial reward mechanisms according to assessment results.
- Educational process evaluation by students, including teacher's assessment.
- Replacement of the salary scale of the personnel chart with personal contracts.
- Motivation of personnel for research activities, promotion of individual professional

certification of the faculty (including language certification) in accordance with the international standards, mobility of research and academic staff.

- Reduction in the teaching load of the research and academic staff.

Theme 3: Towards autonomous and accountable universities: governance and governing structures

5 – University governance structures, membership and responsibilities: engaging students, academics and external stakeholders

- It is necessary to establish effective public self-government bodies in HE (associations, rector councils etc.) at various levels and to legally vest them with relevant functions and rights to influence decisions adopted by governmental bodies in the HE sphere, including the veto right.
- The most important aspect of successful HEIs governance is the participation of all stakeholders (faculty members, students, employers, owners etc.) in the decision-making process related to HEIs activities. One of the methods to be used to this end involves establishing in HEIs active supervisory boards granted the power to influence HEIs activities; HR decisions; control over funds; ensuring the transparency of planning and budget procedures and their accountability.

6 – Governance and University structures (faculties, departments and institutes) towards an integrated university

- The trend toward the liberalization of centralized governmental control over HEIs leads to more support of structural units' autonomy by HEIs management.
- The internal organizational structure of HEIs should be in line with three-cycle system. The Bologna process has so far not affected changes in university structure (the outdated form is no longer consistent with the changing substance).
- It is necessary to determine the areas of responsibility among a HEI, department, chair and other structural units.