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Enhancing the University Autonomy in Moldova
(EUniAM)

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Evaluation of Existing Situation of Organizational Autonomy in Moldova

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EXECUTIVE SUMMARY

The aim of the study is to evaluate the current situation of organizational autonomy in Moldovan universities. Since there is no explicit definition of organizational autonomy provided in national laws and regulations, for the purpose of this study organizational autonomy is defined as university's freedom to determine its own structure, governance, and relations of subordination and responsibility. We extended the scope of the study by analysing the relationship of organizational autonomy with five interfaces that characterize the internal and external points of interaction between modern universities and key stakeholders. These interfaces are: Government–University; University Management–University Staff; University Staff–Students; University–Business, and University–Internationalization.

Following a developed research methodology, unobtrusive data in form of laws regulating directly or indirectly the higher education system in Moldova, governmental and ministerial decrees, university chapters and organizational structures, and education records were collected and analysed. A total number of 30 documents have been analysed, adding up to approximately 1400 pages.

The analysis of the data suggests that universities in Moldova have relative organizational autonomy in determining their structures, working relationships between and within faculties and departments, as well as in distributing responsibilities. A number of issues have been identified in relation to organizational autonomy (although partly some of the issues have been already addressed by the new Education Code that was submitted by the Government to the Parliament for voting).

The key issue relates to the extant conflict of interests that exist in the governance of universities. There is no separation of power between university board (currently this function is fulfilled by a Senate) and university management. Currently, a Rector is the Chair of the Senate; s/he is elected by the Senate; and at the same time manages the university. The other issue relates to the size and the composition of the Senate. The large size of a Senate, sometimes consisting of 100 people and more, makes the senate inefficient and ineffective. A Senate is elected by the entire university community by open or secret vote consisting of teaching and scientific staff, students, doctoral students and auxiliary staff of the university; rector, vice-rectors, deans and heads of academic subdivisions are members of a Senate by virtue of their functions.

Recently, students have been invited to take part more actively in Senate activities (as well as at the faculty and department levels), but students' involvement is rather weak, either due to staff reactance to embrace student participation or students' lack of initiative or both. Also, outside stakeholders of universities are not represented in the Senate (Board), e.g., business representatives, incl., national and international.

The Ministry of Education still plays a role in determining organizational structure of universities; it approves or confirms university organizational structures, as well as establishment, restructuring and suspension of faculties. In addition, State University of

Medicine and Pharmacy and State Agrarian University receive approval on their organizational structures from respective ministries, Ministry of Health and Ministry of Agriculture and Food Industry. The Ministry of Education regulates the election procedures of the Senate, rectors, deans and deans of academic departments. It proposes newly elected Rectors (by the Senate) to the Government for confirmation.

The other emergent issues relate to the election of rectors. As per current legislation, there is no limit of the number of terms (mandates) the same person may occupy rector's office. The vacancy for rector's position is available only for Moldovan citizens.

The other key issue relates to the outdated Law on Education that was adopted in 1995 and that undertook a large number of alterations. Currently a new Code of Education has been developed by the Government and submitted to the Parliament for voting; this new Code of Education is meant to replace the old Law on Education of 1995.

Another issue relates to how universities are founded. There is a high risk of political influence on the establishment, restructuring or liquidation of universities. The Ministry of Education is the founder of universities, makes proposal on establishment, restructuring or liquidation to the Government that approves it, whereas the President of the Republic of Moldova promulgates the decision, thus having a final say on the proposal.

A number of issues emerged at the university-business interface. Although university are free to engage in academic collaborations with businesses, these relationships are often reduced to offering students with internship places. And even in this case, businesses are reluctant to take students as their interns and most of the time internships are just formalities, barring the students from actual work and/or problem solving.

At the university-internationalization interface, it emerged that although universities are free to seek international partners, collaboration agreements with universities and other international organizations must be coordinated with the Ministry of Education in order to obtain its permission to sign respective documents. It also emerged, that there is no law that would regulate the recruitment of foreign students, and clearly define the rights and responsibilities of the universities; currently, in relation to the recruitment of foreign students, universities are treated equally as economic agents that that higher foreign workers.

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1. INTRODUCTION

1.1. Purpose

This report aims to analyse the extent to which organizational autonomy is now manifested and regulated in both public and private Moldovan universities. It is expected that the results of the analysis of the situation in this area will contribute to the development of specific proposals for strengthening this type of university autonomy, specifically, and academic autonomy, in general.

1.2. Definitions

Existing government documents do not provide explicit definitions of organizational autonomy. For example, the Higher Education Act, no. 547 of 1995 provides a general definition of university autonomy, which contains some elements of organizational autonomy – these will be discussed in detail in Chapter 3.

Given the lack of definition of organizational autonomy in national regulatory documents, we define organizational autonomy, according to Estermann and Nokkala (2009, 2011), as the university's ability to decide on:

- organizational structures and institutional governance – especially the ability to establish governing structures and bodies, university management, and the order of subordination;
- procedures and criteria for selecting the Executive Director and his / her dismissal;
- the Executive Director's term of office;
- the inclusion and selection of external members in the management;
- academic structures;
- establishing legal entities.

In addition, we extend the definition of organizational autonomy by analysing its relationship with five interfaces that characterize the internal and external points of interaction between modern universities and key stakeholders. These interfaces are:

Government – University; University Management – University Staff; University Staff – Students; University – Business, and University – Internationalization.

1.3. Methodology

To achieve the above objective, we carried out desk research. We collected and analysed secondary data derived from laws regulating directly or indirectly the higher education system in Moldova, governmental and ministerial decrees, state and private university charters and internal organizational and academic structures. The list of revised data is presented in Annex 1. The data collection process followed the generic methodology developed by the EUniAM project team (Annex 2). The data was collected and analysed by a team of four people.

1.4. Report structure

Following this introduction, Chapter 2 describes the research methodology used in this study. Chapter 3 presents the results and discusses the degree to which organizational autonomy is currently manifested and regulated in Moldovan universities. Chapter 4 analyses and interprets these findings in relation to the five interfaces identified. Chapter 5 concludes the report.

2. METHODOLOGY

2.1. Introduction

This chapter describes the research methodology used to achieve the objective of the report, which is to analyse the extent to which organizational autonomy is now manifested and regulated in Moldovan universities, both public and private. We continue this chapter by describing the type, sources, and analysis of collected data.

2.2. Data collection

Desk research was carried out to collect secondary data derived from laws regulating directly or indirectly the higher education system in Moldova, governmental and ministerial decrees, academic status, and internal organizational structures and academic education. In addition to external, governmental and ministerial data, we collected internal data from four state universities: State University of Moldova, Technical University of Moldova, Agrarian State University of Moldova, and State University of Medicine and Pharmacy „Nicolae Testemițanu”. We chose these universities based on the following criteria: experience and share in the educational market, relevance and visibility of research activity, joint coverage of most professional areas in which professionals are trained.

We reviewed and analysed 30 documents, adding up to a total of approximately 1400 pages. The list of revised data is presented in Annex 1. Electronic copies of the reviewed materials in Annex 1 are available on the project intranet: <http://euniam-moodle.samf.aau.dk/>. The data collection process followed the generic methodology developed by the EUniAM project team (Annex 2).

2.3. Data analysis

Firstly, the project team reviewed the identified external (governmental and ministerial) and internal (university) documents (see Annex 1), in order to review the properties and indicators of organizational autonomy implicitly contained in these documents. In this case analysis, we specified the properties and indicators of organizational autonomy as defined by Estermann and Nokkala (2009, 2011), as well as those defined by the generic methodology project. The list was further extended through a brainstorming at the analysis stage (Table 1).

The next step after understanding how organizational autonomy is exercised and regulated in the Republic of Moldova was to do a cross-case analysis to identify, for instance, the potential impact of organizational autonomy on the five interfaces that are part of the institutional autonomy of universities, namely: Government – University, Management - Staff; Staff – Students; University – Business and University – Internationalization. The potential relationships and impact are shown in Table 2.

Table 1: Understanding of Organizational Autonomy in the Republic of Moldova

Properties / indicators	Source (title and quote source)	Comments / Description
Implementation of university governance	Education Act, Art. 46 (par. 1, let. e)) Education Act, Art. 48 par. 3	<i>Administrative bodies</i> in higher education institutions are: University Senate of the education institution, chaired by the Rector; Office of the University Senate, composed of the Rector, Vice-Rectors and Scientific Secretary; Administrative Body; Faculty Council; The Scientific Council of the higher education institution is run by the University Senate, chaired by the department Rector.
Implementation of university management	Education Act, Art. 48 par. 3 :	The operational management of the higher education institution is carried out by the Office of the University Senate, chaired by the Rector. The same structures constitute both the governance and the management of the university. There is no separation of “legal” and “executive” power. Subordination and responsibility is also unclear, given that the Rector is the person who chairs both the governing body and the executive management body.
The procedure for selecting the executive management	Education Act, Art. 48 par. 4 :	Rectors of state institutions of higher education are chosen on a competitive basis by the institutions’ Senate. The Government confirms Rectors of state institutions of higher education in their position
Criteria for selecting the executive management	Regulation on the organization and conduct of the competition for the position of Rector of the higher education institution, GD no. 112, of 28.02.1996	Candidates – Moldovan citizens with academic titles and degrees (usually, Dr. habil., university professor), according to the profile of the higher education institution, with a minimum of 10 years of experience in academic activity, including 5 years of teaching in universities, who speak the official language of the RM and are (usually) under the age of 60.
Term of office of the executive management	Regulation on the organization and conduct of the competition for the position of Rector of the higher education institution, GD no. 112, of 28.02.1996	The relevant ministry signs an employment contract with the Rector confirmed the Government for a period of 5 years.

Properties / indicators	Source (title and quote source)	Comments / Description
Procedure for dismissing the executive management	Regulation on the organization and conduct of the competition for the position of Rector of the higher education institution, GD no. 112, of 28.02.1996	The employment contract may be terminated before its expiry by decision of the Senate, passed by two thirds of the total membership of the Senate, supported by the ministry and confirmed by the Government.
Ability to decide on academic structures	Education Act, Art. 48, par.1 Faculty Framework Regulation and Department Framework Regulation of the higher education institution, Annexes 1 and 2, by Order of the ME no.671 of 06.08.2010.	The higher education institution consists of faculties, departments, chairs, laboratories and other units (wards) of scientific research, design and micro-production. Establishment, restructuring and suspension of the faculty's activity take place at the proposal of the Senate of the educational institution, with the approval of the Ministry of Education (ME) / line ministry. The establishment and suspension of the Department is determined by the Faculty Council and confirmed by the higher education institution Senate, with the approval of the line ministry.
Ability to establish legal entities	Education Act, Art. 49(par. 2, let. h)).	University autonomy is mainly achieved through the possibility to create public institutions, with the approval of the founder: research and innovation institutions, experimental and academic centres, university clinics, university hospitals, academic stations and fields, university business incubators, sports clubs and creative studios. These institutions carry out non-commercial activities, following strictly the non-profit principle.

Table 2: Relationship between Organization Autonomy and academic interfaces

Interface	Relationship (incl., quotes)	Impact
Government - University	Education Act, Art. 40 (par. 5, 7, 8)	There are a number of procedures related to establishment/liquidation of a HEI. The Ministry of Education proposes the establishment, restructuring or liquidation of state higher education institutions, and submits the proposals for the examination of the Government. The Government approves the proposals of the Ministry of Educations regarding the establishment, restructuring or liquidation of a higher education institution and submits them for the approval of the President of the Republic of Moldova. The President of the Republic of Moldova decides upon the approval of the Government’s proposals to establish, restructure, or liquidate a state higher education institution. Although the President of the Republic is the ultimate decision-maker on the establishment / liquidation of a HEI, the title of founder of the HEI belongs to the Ministry of Education – a negative impact, since it does not exclude the political factor influencing the HE system.
	Education Act, 1995, Art. 46 (parl. 1, let. e)	Administrative bodies in higher education institutions are University Senate, chaired by the Rector; The Office of the University Senate, consisting of the Rector, Vice-Rectors, and Scientific Secretary; Administration Council; Faculty Council; Scientific Council of the Department. The higher education institution is headed by the University Senate, chaired by the Rector. The management of the institution of higher education is provided by the Office of the University Senate. No separation of powers; problems with accountability, conflict of interest, etc.
	Education Act, 1995, Art. 48 par. 3	
	Education Act, 1995, Art. 48, par.1	Academic structures. The higher education institution includes faculties, departments, chairs, laboratories and other units (wards) of scientific research, design and micro-production. The establishment, restructuring and suspension of a faculty/department requires the approval of the Ministry of Education. Negative impact: the requirement for ME’s approval, although a formality undermines the principles of university autonomy.
	Republic of Moldova Government Decision no. 112 of 28 February, 1996.	Elections to the supreme governing body, the University Senate, and other governing bodies of the University are governed by the Regulations on taking up management positions and electing governing bodies in higher education institutions in the Republic of Moldova. The HEI Rector is elected according to the Regulations of the
Annex to the Order of the Ministry of		

Interface	Relationship (incl., quotes)	Impact
	Education no. 697 of 04 November, 2011	competition for the position of Rector of a higher education institution. The Rector elected by the HEI Senate takes up his duties following approval from the Government.
Management –Employees	<p data-bbox="394 448 887 512">Annex to the Order of the Ministry of Education no. 697 of 04 November, 2011;</p> <p data-bbox="394 544 887 703">Regulations on taking up academic positions in higher education institutions no. 854 from Annex 3 to the Code of science and innovation of the Republic of Moldova;</p> <p data-bbox="394 735 887 863">Labour Code of the Republic of Moldova (2003).21.09.2010, Regulations on the attestation of highly skilled scientific and academic staff;</p> <p data-bbox="394 895 887 959">Government Decision no. 112 of 28 February, 1996;</p> <p data-bbox="394 991 887 1086">Regulations on the competition for the position of Rector of a higher education institution.</p>	The participation of university staff in the governance process. According to the Regulations on taking up management positions and electing governing bodies in higher education institutions in the Republic of Moldova: representation of academic staff in the university Senate is 65-75%, while that of the additional staff is 5-10%; 75-80% of the Faculty Council consists of academic staff members. Participation rates in electing members of the governing bodies of the university, faculty, and department. Management – staff relations are regulated: participation, through members of the Senate, in electing the Rector of the higher education institution.
Employees – Students	<p data-bbox="394 1118 887 1182">Annex to the Order of the Ministry of Education no. 697 of 04 November, 2011;</p> <p data-bbox="394 1214 887 1342">Regulations on the competition for the position of Rector of a higher education institution, Government Decision no. 112 of 28 February, 1996.</p>	Participation, through student-members of the Senate, in the election of the Rector of the HEI. Students’ participation in the process of governing, alongside the academic and additional staff, having a representation of 20-25% in the Senate and the Faculty Council. Regulations on taking up management positions and electing governing bodies in HEI in Moldova. Positive impact, but quite weak, considering a reluctant academic staff and lack of initiative from students.

Interface	Relationship (incl., quotes)	Impact
University - Business	Education Act, 1995, Art. 35	It stipulates the organization of adult education in various forms of training, including universities. The relationship between universities and the business world is often reduced to agreements to provide internships for students. Most public and private business organizations, however, are very reluctant in this respect. Most of the times, internships are a formality, barring students from being involved in the actual work of the organization.
University- Internationalisation	Education Act, Art.49, par. 2, let. 1) ME Order no. 442 of 19 September 2005	University autonomy is achieved by establishing collaborative relationships with various educational and scientific institutions, centres and organizations in the country and abroad. Collaboration agreements with universities, international organizations must be coordinated with the Ministry of Education in order to obtain its permission to sign the documents. There is no law that would regulate the recruitment of foreign students, clearly define the rights and responsibilities of the main actors, and stipulate the distinction between a university and an economic agency that invites foreigners to work. Negative impact, undermines the lawful university autonomy. There is a very low interest of European and American students in studying in Moldova. There is certain interest from students from developing and/or terrorism-risk countries, for which the Moldovan Migration Office rarely agrees to, provide residence permits. And in case of deportation, the university could be required to cover the expenses.

2.4. Conclusion

This chapter presents the research methodology used to meet the objective of the study. We collected and analysed secondary data derived from government and ministerial documents and internal documents of four state universities. We carried out an internal and cross-case analysis of organizational autonomy. The next chapter - Chapter 3 - will discuss the results obtained during the case analysis (Table 1). Then, Chapter 4 will discuss the findings that emerged from the cross-case analysis of organizational autonomy (Table 2) and the five interfaces of instructional autonomy of universities.

3. UNDERSTANDING ORGANIZATIONAL AUTONOMY

3.1. Introduction

In this chapter we aim to analyse and discuss the features and indicators of organizational autonomy incorporated in the context of higher education in Moldova. Analysing a series of (governmental and ministerial) regulations and internal documents from selected universities (Annex 1), we developed a comprehensive framework of the extent to which organizational autonomy is now exerted and regulated in the higher education sector in Moldova (Table 1). The chapter presents this developing framework, supported by a number of vignettes (cases) that exemplify the main points.

3.2. Implementing university governance

The administrative bodies of a university are established in Art. 46 (par. 1, let. e)) of the Education Act, according to which the higher education institutions are:

- University Senate, chaired by the Rector;
- Office of the University Senate, consisting of the Rector, Vice-Rectors, and Scientific Secretary;
- University Administrative Body, chaired by the Rector – the body that assists the Senate Office in the operational management of the university and implements the Senate’s strategic decisions; consists of the Rector, Vice-Rectors, Deans, Department Heads;
- Faculty Council, chaired by the Dean – the supreme governing body of a faculty, consisting of the Dean, Vice-Deans, Department Heads, faculty and student union presidents, and an equal number of subdivision, students, and doctoral student members);
- Scientific Department Council, chaired by the Department Head.
- The structure and functions of higher education institution bodies are established by the University Charter, adopted by the Senate. This document regulates the functioning of higher education institutions.

At present, the Senate is the supreme governing body of the higher education institution and is elected for a five-year term. The method and procedure for electing the Senate are stipulated in the Regulations on taking up management positions and electing governing bodies in higher education institutions in the Republic of Moldova (Annex to the Order of the Ministry of Education, no. 697 of November 4, 2011). Members of the Senate are usually Dr.habil. and professors. The election committee is formed of a representative of the administration, faculty, subdivisions and trade union committees of the educational institution, elected by open voting at faculty councils and meetings of the respective subdivisions. The election committee elects its chairman and secretary. The nominal composition of the committee, the president and secretary are confirmed by order of the Rector, for a period of five years.

The election committee and the Rector determine the total number of members of the Senate and representation share for each faculty and subdivision, taking into account the following ratio: **academic staff – 65-75%; students, PhD students – 20-25%; support staff – 5-10%**. The Rector, Pro-Rectors, Deans, Union Presidents, Library Director, IT Centre Director, masters and PhD school Directors, Directors of affiliated institutions and university colleges are members of the Senate by virtue of their positions. The maximum number of Senate members is **101**. The number of representatives in the Senate of each faculty and subdivision, in accordance with the Charter of the University, is determined under the principle of equality of faculties, departments and divisions. Senate elections are held within 15 days of their announcement. Members of the Senate are elected at the general assembly of the body of professors of each faculty (subdivision) through open or secret voting. Members of the support staff, students and PhD students are elected at the general meetings of their bodies or of the representatives, by open or secret voting. Election results are recorded in an official report. At least one member of the election committee must supervise the election at each faculty (subdivision) to ensure conformity with rules and procedures. Within 5 days, the election committee will submit the report to the Rector, which will be kept on record for the duration of the Senate's mandate.

The Rector is the President of the Senate. The Secretary of the Senate is appointed by order of the Rector. Membership in the Senate is confirmed by order of the Rector within 10 days after receiving the election committee report. Complaints regarding the election process may be addressed to the Ministry of Education and line ministry within 5 days from the conclusion of the elections. If the authorities find violations of the provisions of the Regulation, new elections are announced.

3.3. Implementing university management

In accordance with Article 48 p. (3) of the Education Act, the management of a higher education institution is provided by the University Senate Office. The Senate Office consists of the Rector (the President of the Office), the Vice-Rectors and Scientific Secretary of the Senate, as provided by the Education Act, Art. 46 (par.1, let.e).

The Education Act defines one more administrative body – the University Administrative Body, chaired by the Rector. This is the body that assists the Senate Office in the operational management of the university and implements the Senate's strategic decisions and consists of the Rector, Vice-Rectors, Deans, and Department Chairs.

The supreme governing body of a faculty is the Faculty Council and consists of the Dean, vice-Deans, Department Heads, faculty and student union presidents, and an equal number of subdivision, students, and doctoral student members.

According to the Regulations on taking up management positions and electing governing bodies in higher education institutions in the Republic of Moldova (Annex to the Order of the Ministry of Education, no. 697 of November 4, 2011), the executive management is formed of the Rector, Vice-Rectors, Deans, Vice-Deans, the Head of the Office of Studies, Department Chairs.

3.4. The executive management selection procedure

The Rector is elected on a competitive basis by the Senate, with the exception of Rectors of higher educational institutions of the Ministry of Interior Affairs, Ministry of Defence and the Intelligence and Security Service of the Republic of Moldova, who are appointed by these authorities. The election of the Rector is subject to the Regulation on the competition for the position of Rector of a higher education institution, by Government Decision no. 112 of 28 February 1996.

Under this regulation, the competition for the position of Rector is announced two months before the end of the current Rector's term as stated in the employment contract or within one month from the date when the position of Rector, for whatever reason, has become vacant. The line ministry places an advertisement in the national press indicating the terms and conditions of the competition. Candidates for the position of Rector are proposed by the bodies of faculties, departments, divisions, colleges and trade union organizations of higher education institution.

After the Council of the Ministry of Education confirms that the Rector was elected in accordance with the requirements of this Regulation, the newly elected Rector awaits approval from the Government. The Rector is considered on duty after his confirmation by the Government. Otherwise, a new competition is organized.

The Rector appoints and dismisses the Vice-Rectors and Heads of Studies, with the consent of the Ministry of Education and line ministries. The number of Vice-Rectors for each institution is determined by the Ministry of Education and line ministries, based on the Rector's proposal.

The positions of Deans, Department Heads / chairs are filled through public competition. The elections for the position of Chief of Department are organized by the Senate's contest committee. Candidates' files with the Rector's approval of admission to the competition are available to the Faculty Dean. The Dean presents each candidate at the department meeting chaired by the Dean. The further procedure is similar to the one applied in the case of teaching positions (see GD no. 854 of 21.09.2010, p.20 for the Regulation on filling teaching positions in higher education institutions).

Elections for the positions of Dean / Department Chair are covered by the Regulations on taking up management positions and electing governing bodies in higher education institutions in the Republic of Moldova (Annex to the Order of the Ministry of Education, no. 697 of November 4, 2011).

Whenever a new department is created, the position of Head of Department is filled by contest. The Department Head is then appointed by order of the Rector. If a Department Head fails to be elected by secondary election, the Rector appoints someone to the position until the next re-election. In the event of department division, the head of the divided department is appointed by the Rector in the function of head of the one of the newly created departments until the deadline for the competition.

The election of the Faculty Dean is organized by the Senate's contest committee, which registers candidates and supervises the contest. Candidates are proposed by the departments of the Faculty, the Faculty Council, faculty union committees, or an academic member tenured at that faculty.

The election of the Dean at the Senate adheres to the following procedure:

- The President of the contest committee designates a case committee consisting of 2-3 of its members to organize and supervise election to management positions.
- The case committee announces the contest at the faculty and registers candidates to the position of Dean. It organizes and presides the faculty general assembly discussing the candidates and their programs, announcing the names of the candidate a week in advance. The general assembly represents the teaching-scientific and student body in a quantity of not less than 1/5 and not more than 1/4 of the members of the general assembly of the faculty.
- The case committee presents the general assembly's decision regarding the candidates to the contest committee, which was approved by open or secret vote.
- The contest committee approves the decision of the general assembly to support or reject the candidates recommended by the general assembly.

All applications considered at the general meeting of the scientific-teaching and student bodies of the faculty are included in the ballot for the Senate meeting.

3.5. Criteria for selecting the executive management

To be eligible for the position of Rector, candidates must be Moldovan citizens with teaching and scientific titles and degrees (usually, habilitated doctor, university professor) corresponding to the profile of the higher education institution, with at least 10 years work experience in the academic field, including five years of teaching in university education, who know the state language and are (usually) under the age of 60.

The general eligibility criteria for the candidates for the position of Dean and Head of Department / Chair are to be citizens of the Republic of Moldova, to possess a scientific degree and title in the relevant field, to know the state language, and to be under the retirement age (GD no.854 of 21.09.2010, p.35). Candidates to the position of Head of Department may be title-holders in the respective institution, as well as specialists from other education or scientific research institutions.

3.6. The term of office of the executive management

The *Regulation on the competition for the position of Rector of a higher education institution, GD no. 112 of 28.02.1996* states that the line ministry signs an employment contract with the Government-approved Rector for a period of five years.

Under the Regulations on taking up management positions and electing governing bodies in higher education institutions in the Republic of Moldova, the positions of Deans and Department Heads/Chairs are occupied by competition for a period of five years. The same

person may hold the position of Dean or Department Head for more than two consecutive terms. Habilitated doctors and university professors may apply for the third consecutive term.

3.7. The procedure for dismissing the executive management

According to the same Regulations, employment contracts may be terminated before their expiry by the decision of the Senate, passed by two thirds of the total members of the Senate, supported by the line ministry and confirmed by the Government. The reason for termination is not regulated. We did not find any normative provisions referring to the dismissal of Deans and heads of departments.

3.8. The ability to decide on academic structures

The structure of the university is stipulated in the Education Act, Art.48, par.1. A higher education institution includes faculties, departments, laboratories and other units (wards) of scientific research, design and micro-production.

The establishment of faculties and intra-university management structures (faculty councils, etc.) is approved by law or by rules adopted within the law. For example, a faculty can be established, restructured, or suspension at the proposal of the Senate, with the consent of the line ministry (Regulatory framework of the faculty of a higher education institution, Annex 2 to ME order no.671 of 06.08.2010). A faculty department is establishing at the proposal of the faculty, by the decision of the Faculty Council, which must be confirmed by the Senate, in consultation with the line ministry (Regulatory framework of the department of the higher education institution, Annex 1 to the order ME no.671 of 06.08.2010). A university can be established and can activate under the Constitution, the Education Act and the effective legislation.

3.9. Ability to establish legal entities

Article 49 (par. 2, let. h) of the Education Act defines the possibility to establish public institutions, with the consent of the founder: research and innovation institutions, experimental and academic centres, university clinics, university hospitals, teaching resorts and fields, university business incubators, sports clubs and creation studios. In accordance with these provisions, higher education institutions can carry out non-commercial activities, strictly following the non-profit principle.

4. INTERFACES OF ORGANIZATIONAL AUTONOMY AND INSTITUTIONAL AUTONOMY

4.1. Introduction

This chapter looks at the relationship between organizational autonomy and the five interfaces that make up the institutional autonomy of universities: Government – University; Management – Staff; Staff – Students; University – Business, and University – Internationalization. In addition, we examine the existing or potential impact of organizational autonomy on these interfaces. The main focus of the chapter is the emergent framework of these relationships, presented in Table 2.

4.2. Government – University Interface

A university can be established and can function in conformity with the Constitution of the RM, the Education Act and the legislation in effect. The establishment of a university is regulated by article 401 (par. 5, 7, 8) of the Education Act that stipulates public authorities' competencies in establishing, reorganizing, and liquidating state education institutions. According to this article, Ministries and relevant departments put forward proposals to establish, reorganize, or liquidate state high school, vocational, specialized, and higher education institutions, subordinated to the central public authorities, and submit them for review to the Ministry of Education. The competencies are further distributed as follows:

The Ministry of Education:

- Makes decisions regarding the proposals of education departments, local public authorities of the second level, interested ministries and departments regarding the establishment, reorganization, or liquidation of state institutions of general secondary education, upper secondary, and vocational secondary education;
- Proposes the establishment, reorganization, or liquidation of state institutions of upper secondary, special, vocational secondary, complementary, specialized secondary and higher university studies, subordinated to central public authorities, and submits them for review to the Government.

The Government:

- Makes decisions upon the Ministry of Education's proposals to establish, reorganize, or liquidate state institutions of upper secondary, special, vocational, complementary, and specialized education, subordinated to the central public authorities;
- Confirms the Ministry of Education's proposals to establish, reorganize, and liquidate state institutions of higher education and submits them for review to the President of the Republic of Moldova;
- Examines and presents proposals to establish, reorganize, or liquidate scientific research institutions and staff development institutions and submits them for approval to the President of the Republic of Moldova.

The President of the Republic of Moldova decides on Government proposals to establish, reorganize, or liquidate state institutions of higher university education.

Universities that function in the Republic of Moldova are acknowledged according to a specific accreditation. In general, the accreditation process has two phases:

- Licensing, granting the right for provisional organization and functioning;
- Accreditation, granting all rights provided by the current law.

State institutions require only accreditation. According to article 35(3) of the Education Act, after the accreditation process, adult education institutions can obtain the right to autonomy, as established by the law. University accreditation is obtained after the first graduation examination of the respective study level. To obtain accreditation, the institution will need to have at least 60 % of the teaching staff employed full-time in the respective unit and corresponding to the national education standards. If the educational institution is not accredited during the academic year, with the approval of the Ministry of Education, graduates of that year may take graduation exams in an accredited institution. Diplomas or certificates issued by accredited private educational institutions are recognized as equivalent to academic qualifications issued by state educational institutions, only if the graduation exams were held in accordance with state educational standards, in the presence of committees formed by the Ministry of Education in accredited educational institutions (Education Act, Art.36 (10)). The Government may also intervene in the activity of higher education institutions to approve the elected Rector and Vice-Rectors proposed by the University Senate.

4.3. Management – Employees Interface

The Management – Employees relationship in the context of organizational autonomy is reflected in the level of staff participation in university governance, the exertion of the right to participate in the election of administrative bodies, the level of participation in university governance of representatives of various staff groups, the right to elect the leader of the structure of which they are members, the way and norms with which the administration operates as an employer in the process of hiring and dismissing.

The staff's participation in the governance process is ensured by the fact that the university Senate is elected by members of the academic staff, who represent at least 75-80% of the total number. Excluding the default members of the Senate, the share of staff elected from the academic body is 60-65%. Through the members of the Senate, academic staff members participate in the election of the Rector and play an important role in passing Senate decisions.

The SUM Senate has the following functions:

- Approves the Institutional Development Plan for the next 5 years, containing the visions, mission, the university development strategy and the main measures for its implementation;
- Plans, approves, monitors, and evaluates financial resources;

- Approves strategic decisions on: asset management;
- staff remuneration and motivation;
- establishing fees for studies, accommodation, services, and works;
- cooperation with entities from various fields;
- financial resources management;
- institutional management regarding intellectual property rights;
- institutional management regarding the technology transfer process;
- Makes connections with the job market;
- Approves income and expenditures estimates.
- The responsibilities of the SAUM Senate are listed in more detailed in the Statute:
- Develops the program of the strategy for university development in conformity with the national education development strategy and international tendencies;
- Establishes the strategy for university research activities;
- Approves internal regulations according to the law in effect;
- Elects the Rector, Deans, Department Chairs, Laboratory Director, professors and associate professors. The Rector is elected on a competitive basis and is approved by the Government;
- Organizes and carries out contests for academic positions and submits materials for granting university professor, associate professor, and superior scientific researcher titles to the National Attestation and Accreditation Board of the Republic of Moldova;
- Grants “Doctor Honoris Causa” titles;
- Presents the NAAC with the list of specializations in which the university will prepare academic staff through doctoral and post-doctoral training;
- Approves study plans and programs and eventual modifications;
- Approves interuniversity cooperation agreements and initiates international scientific and academic relations;
- Examines and approves the annual rector’s report regarding the activity of the university; confirms academic and technical-administrative subdivision and administration board reports, admissions and final examination results; approves study timetables for all specializations, the nominal list of national and senate scholarship receivers; establishes the admissions methodology by respecting the general criteria provided by the ministry of education’s regulatory framework;
- Approves the number of places available for non-state funded study, at the proposal of faculty boards;
- Proposes candidates with high academic reputation and personal integrity for Moldovan science academy membership and supports candidates proposed by other institutions;
- Approves doctoral/postdoctoral thesis topics and scientific advisers;
- Approves the membership of specialized scientific boards and scientific conferences;
- Approves university policies and objectives related to the quality of education; appoints commissions for the main fields of activity;
- Performs any other duties established by law and regulations;

- Develops and approves the university structure and amendments;
- Establishes and awards university medals in accordance with the law.

At the faculty level, the participation of academic staff in the administration of the faculty is manifested by delegating electoral functions to the members of the Faculty Council elected out of faculty or department colleagues through direct voting at the Dean elections and at faculty decision voting sessions.

The management of the relations between administration and staff is regulated by several laws, including: Regulations for the attestation of highly skilled scientific and scientific-teaching staff (Annex 3 of the Science and Innovation Code of the Republic of Moldova), Regulations for the certification of academic staff developed according to the Education Act of the Republic of Moldova, Art.50, Art.53, Art.54, par.10, and Art.56, p.(e), by Government Decision no.381 of 13.04.06, Regulations for filling academic positions in higher education institutions no. 854 of 21.09.2010, and the Labour Code of the Republic of Moldova (2003). Under Art.297, scientific and teaching positions in higher education institutions can be filled in basis of an individual labour contract of limited duration (Art.55, pt. g) of the LC), concluded according to the results of the contest.

4.4. Employees – Students Interface

The Employees – Students Interface is related to the impact of the quality of relations between students and staff on organizational autonomy, the procedure for electing student representatives in governing bodies and management, the role of student organizations in decision-making, and the level of academic staff involvement in student elections.

The principles of the Bologna Process are geared toward student and academic staff mobility in the European space, ensuring university autonomy, the active participation of students in the governance of education, public accountability for the quality of higher education and training of specialists in various fields, in accordance with the requirements of the current stage of development. This way, students' involvement in university administration and decision-making appears to be a solid landmark that would strengthen this component of university autonomy.

In February 2011, the Parliament adopted the decision to increase the share of student representatives in university Senates. If previously the Education Act stipulated that students should represent a **maximum of 25%** of the members of decision-making bodies, from now on it is compulsory to respect the **minimum share of 20%** (Law no. 31 of 25.02.2011 for the amendment of Article 46 of the Education Act no.547-XIII of 21 July 1995). The presence of students is ensured in both the Senate and in Faculty Councils. According to the Regulations on taking up management positions and electing governing bodies in higher education institutions in the Republic of Moldova (Annex to the Order of the ME no. 697 of November 4, 2011), the election committee in agreement with the faculty Dean establishes the total number of members in the Faculty Council **and** the share of representatives for each department/subdivision (following the rights equality principle), taking into account the following ratio: **academic staff – 75-80%, students and PhDs –**

20-25%. The same ratio is maintained in the case of student representation in the university Senate.

4.5. University – Business Interface

The impact of good governance in higher education has a direct impact on the development of the society. Strategic aims of universities are closely linked to the labour market of national and international socio-political nature. For these reasons, many higher education problems go beyond university walls and overlap or interfere with major societal problems. The current legal framework does not regulate university relations with business relations, although it does not limit them dramatically.

Article 35 of the Education Act, dedicated to adult education, states that adult education institutions can gain the right to autonomy after accreditation, as required by law. Funding for adult education institutions comes from sponsorships, donations and other legal sources.

The Education Code draft stipulates that the national educational system encourages social dialogue and the development and capitalization of lawful partnerships between educational institutions and the community, civil society, and business.

4.6. University – Internationalisation Interface

We did not find separate documents on organizational autonomy in the University – Internationalization interface. Only Article 49 of the Education Act, after the amendments of 2012, stipulates that university autonomy enables universities to manage the process of establishing collaboration relationships with various educational and scientific institutions, centres, and organizations in the country and abroad. Article 63 of the Education Act – “International Cooperation” – mentions that international cooperation in the field of higher education is regulated by the legislation of the Republic of Moldova. The Ministry of Education is entitled to establish relations and to sign bilateral partnership agreements, to participate in international projects and manifestations in the field of higher education and research. In addition, the Education Code draft specifies that, autonomy provides universities with the right to select national and international partners.

Currently, this activity is controlled by the Ministry of Education. The Ministry of Education Decree no. 442 of 19 September, 2005, states that bilateral agreements with international universities and organizations must be coordinated with the Ministry of Education to receive its permission for signing.

At the moment, Moldovan universities face a serious challenge in recruiting international students. There are objective reasons why students from the EU are not interested in studying in Moldova. The number of students from CIS countries is also decreasing. The majority of study requests come from citizens of underdeveloped or “risk” countries: Ghana, Nigeria, Bangladesh, India, Pakistan, Iran, etc. Student recruitment lies entirely on the shoulders of universities. Universities are the sole institutions responsible for the

arrival, temporary residence in the RM and departure of foreign citizens who are or intend to become students at higher education institutions in RM.

The only responsibility of the Ministry of Education is to issue a letter of approval or disapproval of the student's admission, based on the document package of the foreign citizen submitted by the university to which he/she applied. This document is a prerequisite for international students to be able to register with educational institutions in Moldova (Regulations on placing international students in educational institutions in the Republic of Moldova, Annex 1 to Government Decision no. 746 of 21 June 2003).

After ME's approval, the university requests an invitation for the international student, based on which the Migration and Asylum Bureau, subordinated to the Ministry of Internal Affairs, grants or refuses the invitation.

If, for any reason, the foreign citizen is to be deported and refuses or has no means to pay the transportation costs, these expenses are incurred upon the university, according to Art.71 of Law no. 200 of 16.07.2010 regarding the status of foreigners in the Republic of Moldova. In these conditions, being unable to cope with such demands, the university could refuse to accept foreign students, with the exception of those coming under government agreements (very few) and would not be able to achieve one of the important components of the process of internationalization of higher education.

4.7. Conclusions

Currently, the higher education system is characterized by partial autonomy. The introduction of certain deregulations was absolutely necessary to streamline university processes. Consequently, university autonomy was sanctioned by the amendments to the Education Act, other legal acts, and the draft of the Education Code, while the organizational component of autonomy is reflected in the universities' right to determine their organizational structure and to elect their administrative bodies. University autonomy is coupled with public accountability. Public accountability, in the spirit of the European university autonomy, compels any higher education institution to:

- Respect legal provisions, its own charter, and the national and European policies in the field of higher education;
- Ensure the quality of the higher education;
- Respect equity and university ethics;
- Ensure the effective management of resources;
- Ensure the transparency of all university decisions and activities;
- Respect the academic freedom of staff, as well as the rights and liberties of students.

5. CONCLUSION AND NEXT STEPS

This chapter presents some results of the organizational component analysis, the condition of which was determined in the previous chapter. The analysis aims to highlight the strengths and shortcomings of the existing system, to be considered by policy makers when making improvements to the legislative framework referring to university autonomy.

Government – University Interface

- Universities face difficulties in the transition to university autonomy because of the incomplete implementation of the Bologna process on the 3-cycle studies and because of the absence of a legislative framework that would specify university actions in all segments of autonomy.
- Universities are to be transformed from budgetary institutions into public self-managed institutions.
- This requires the formation of a legislative framework that will determine the rights, jurisdiction, and obligations of universities at different levels of decision-making and manifestation of responsibility.
- The jurisdiction of the Senate should be reviewed so that it handles only academic issues (curriculum, study programs, titles); while the Managing Board handles university management issues (financial management, human resources management).
- Granting the right to open and close faculties at the discretion of the university.
- Universities will offer continuing post-graduate education programs upon requests for these programs' accreditation.

Management – Staff Interface

- The obligation to make public the budget, taxes, method of management, and internal management regulations at the level of faculties and departments.
- The obligation to present annual internal reports on quality management that are approved by the Senate and made public.

University – Business Interface

- Active involvement of employer representatives on advisory boards.
- Review of the Senate composition so that 5-10% of Senate members are representatives of the founders (Ministry, Government) and representatives of professional associations, patrons, trade unions.

Staff – Students Interface

- Today, the student governance is inefficient.
- The effective participation of student representatives in decision-making (mandatory) and in managing a set of responsibilities (e.g. management of student accommodation, library, sports halls, etc.) through student associations.

- Limiting the number of students studying on a contract basis to the university capacities of infrastructure and teaching potential.

University – Internationalization Interface

- Universities' right to seek accreditation of study programs (cycles) that they are able to provide.

After having analyzed the existing legal framework in Moldova, it becomes clear that universities are able to survive only if granted true organizational autonomy. Lately, the government has taken sustained measures to provide autonomy, but these are of a superficial nature. Relying primarily on financial autonomy, the Government has not endowed universities with enough freedom within other components of autonomy, particularly the organizational component. There are no laws that would allow the separation of the “legislative” power from the “executive” one. At the moment, university autonomy seems to be partial, given that many important actions are under the control of the Ministry of Education or other superior entities. Universities are governed by intra-university components and are not always able to respond to life and labour market imperatives by quickly launching new specializations, faculties, and departments. Students have an insignificant role in university management, resulting in the alienation of youth from governance, which favours a gap between generations with experience in university management. In addition, there is no justification for the lack of an operative body in university management that would be able to quickly make decisions regarding the strategic development of the university and analysis of perspectives.

Given the above, we consider it imperative to carry out a study of the experience of EU universities to identify strengths related to organizational autonomy, to analyse their impact on university efficiency, and to determine some solutions for higher education institutions in Moldova.

REFERENCES

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- The Science and Innovation Code of the Republic of Moldova, no. 259-XV of 15.07.2004.
- Charter of the State University of Medicine and Pharmacy “Nicolae Testemițanu” Public Institution of the Republic of Moldova, with ulterior amendments and additions, approved at the Senate Assembly on December 28, 2012.
- The Declaration on Academic Freedom and Autonomy of Institutions of Higher Education (Lima, September 10, 1988).
- Joint declaration of the European Ministers of Education convened in Bologna on June 19, 1999.
- European University Association, The EUA Lisbon Declaration – Europe’s Universities beyond 2010: Diversity with a Common Purpose, EUA, Brussels, May 2007.
- Education Act, No.547 of 21.07.1995, Art.49 par.(1) modified by LP178 of 11.07.12, MO190-192/14.09.12 Art.644; in effect on 01.01.13.
- Law no. 200 on the status of foreigners in the Republic of Moldova from 16.07.2010.
- Labour Code of the Republic of Moldova, 2003.
- Law no. 31 of 25.02.2011 for the amendment of Article 46 of the Education Act no. 547-XIII of 21 July 1995.
- The Law regarding the approval of Regulations for the Evaluation and Accreditation of Education Institutions, No. 423 from 04.06.1999.
- National Strategy for Development “Moldova 2020”: Seven solutions for economic growth and the eradication of poverty (approved by Law no. 166 of July 11, 2012).
- Regulation on the organization and conduct of the competition for the position of Rector of the higher education institution, Government Decision no. 112, of 28 February 1996
- Regulations for Taking Up Management Positions and Electing Governing Bodies in Higher Education Institutions in the Republic of Moldova Approved by the Board of the Ministry of Education Decision no. 24.4.3 on March 19, 1996.
- Regulations regarding the study of foreign citizens in educational institutions in the Republic of Moldova (Annex 1 to Government Decision no. 746 of June 21, 2003)
- Regulations for the attestation of highly qualified scientific and scientific-teaching staff (Annex 3 to the Code for Science and Innovation of the Republic of Moldova), 2004.
- Regulations for filling academic positions in higher education institutions, approved by Government Decision no.854 of September 21, 2010.
- Regulations for taking up academic and management positions and electing governing bodies in Higher Education Institutions in the Republic of Moldova. Annex to order 697 of November, 4, 2011.

Regulations regarding certain measures for the implementation in the Republic of Moldova of the Agreement on university study exchange programs in Central Europe (CEEPUS III), signed in Budva on March 25, 2010, Approved by the Moldovan Government Decision No. 454 from 25.06.2012.

Regulations regarding the higher education institutions' functioning in conditions of financial autonomy, Annex 1 to Government Decision no. 983 from December 22, 2012.

Republic of Moldova's higher education strategy in the context of the Bologna Process.

Statute of the State University of Moldova Public Institution, approved at the Senate assembly on February 26, 2013.

Statute of the State Agrarian University of Moldova Public Institution, at the Senate assembly on January 4, 2013.

Statute of the state higher education institution Technical University of Moldova, approved at the Senate Assembly on 26 December 2006.

Charter of the public institution State University of Medicine and Pharmacy "Nicolae Testemițanu", approved at the Senate Assembly of 28 December 2012.

APPENDIXES

Appendix 1: Data sources

#	Type	Title
1.	Law	Education Act, No.547 of 21.07.1995
2.	Law	Labour Code of the Republic of Moldova, 2003
3.	Law	Science and Innovation Code of the Republic of Moldova, no. 259-XV of 15.07.2004
4.	Law	The Law regarding the approval of Regulations for the Evaluation and Accreditation of Education Institutions, No. 423 from 04.06.1999
5.	Law	Law no. 200 on the status of foreigners in the Republic of Moldova from 16.07.2010
6.	Law	Law no. 166 of 11 July 2012 regarding the “Moldova 2020” National Development Strategy: Seven solutions for the country’s economic growth and poverty reduction
7.	Law	Law no. 31 of 25.02.2011 for the amendment of Article 46 of the Education Act no. 547-XIII of 21 July 1995.
8.	RM Government Decision	No. 454 of 25.06.2012 regarding certain measures for the implementation in the Republic of Moldova of the Agreement on university study exchange programs in Central Europe (CEEPUS III), signed in Budva on March 25, 2010
9.	RM Government Decision	no. 746 of 21 June 2003, Regulations regarding the study of foreign citizens in educational institutions in the Republic of Moldova
10.	RM Government Decision	no. 854 of 21 September 2010, Regulations for filling academic positions in higher education institutions
11.	RM Government Decision	no. 983 of 22 December 2012, Regulations regarding the higher education institutions’ functioning in conditions of financial autonomy
12.	RM Government Decision	no. 112 of 28.02.96, Regulation on the organization and conduct of the competition for the position of Rector of the higher education institution
13.	RM Government Decision	no. 983 of 22.12.2012 regarding the higher education institutions’ functioning in conditions of financial autonomy
14.	RM Government	Regulations for the attestation of highly qualified scientific and scientific-teaching staff, Annex 3 to the Code for Science and Innovation of the Republic

#	Type	Title
	Decision	of Moldova, 2004.
15.	Decision of the Council of the Ministry of Education	no. 24.4.3 of 19 March 1996, Regulations for taking up academic and management positions and electing governing bodies in Higher Education Institutions in the Republic of Moldova
16.	Order of the Ministry of Education	no. 697 din 04 November, 2011, Regulations for taking up management positions and electing governing bodies in higher education institutions in the Republic of Moldova
17.		Regulatory framework of the Faculty of the higher education institution, Annex 2 to the ME order no.671 of 06.08.2010
18.		Regulatory framework of the Department of the higher education institution, Annex 1 to the ME order no.671 of 06.08.2010
19.	Strategies	Republic of Moldova's higher education strategy in the context of the Bologna Process.
20.		Consolidated strategy for the development of education for 2010-2015. The Government of the Republic of Moldova and the Ministry of Education, Project, 2010
21.	Bill	The Proposal for Public Policy initiated by the Ministry of Education: The development of universities' managerial skills through the expansion of university autonomy
22.		Education Code
23.	Report	Report on the higher education system in the Republic of Moldova
24.	Internal regulations of institutions	Statute of the State University of Moldova Public Institution, approved at the Senate assembly on February 26, 2013
25.		Statute of the State Agrarian University of Moldova Public Institution, at the Senate assembly on January 4, 2013
26.		Charter of the public institution State University of Medicine and Pharmacy "Nicolae Testemițanu", approved at the Senate Assembly of 28 December 2012
27.		Statute of the state higher education institution Technical University of Moldova, approved at the Senate Assembly on 26 December 2006
28.	Declarations	The Declaration on Academic Freedom and Autonomy of Institutions of Higher Education (Lima, 10 September 1988)
29.		Joint declaration of the European Ministers of Education convened in Bologna on the 19 June 1999
30.		European University Association, The EUA Lisbon Declaration – Europe's Universities beyond 2010: Diversity with a Common Purpose, EUA, Brussels, May 2007

Appendix 2: Data collection method - Financial Autonomy

Part I.

<p>Interface I Government - University</p>	<p>What is the procedure to establish a new University, department, school, faculty?</p> <p>Do you have any periodical accreditation of University?</p> <p>Should government control the way the head of the university is selected?</p> <p>Should government appoint external members to university governing bodies? Should government regulate functions of university governing bodies?</p> <p>What is the mechanism to ensure external control?</p> <p>Is the university autonomy guaranteed by the law?</p> <p>Is the university able to set up its own regulations with the respect of the law?</p> <p>What is the degree of accountability that accompanies the autonomy of the university in the relation with the government?</p> <p>Has the university the right to create new organizational structures that are not in the law?</p> <p>May the university establish its own mission?</p> <p>May the university establish its institutional strategy?</p> <p>Does the university have the right to manage its internal affairs observing the law and its own regulations?</p> <p>Is an University officially recognized by the government by law after an accreditation procedure?</p> <p>Is there a clear definition what UNIVERSITY means/is?</p> <p>Why should government and society provide wide autonomy to universities?</p> <p>How is it possible to control the quality of university management in conditions of university autonomy?</p> <p>Which administration methods should be used in conditions of university autonomy?</p> <p>Would the university autonomy (in terms of transition to an efficient market economy) change the basic values and target of higher education institutions activity?</p> <p>What should be the degree of state control in terms of university autonomy?</p> <p>What are the risks in the organization and management of the autonomous university activity?</p> <p>How should be the organizational structure of the university in terms of university autonomy?</p> <p>What should be the order of management authority formation in an autonomous university?</p> <p>What should be the basic guidelines for the organization of university autonomy?</p> <p>What are the impediments for the development of university autonomy within the country?</p> <p>Has the university the right to establish its own procedure for the selection/election of the head of the university?</p> <p>Does the government must recognize the result of the selection/election of the head of the university?</p> <p>May the government to dismiss the head of the university?</p> <p>The term of office of the management university must be stated by the law (not by the government).</p>
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<p>Interface II Management – Employees</p>	<p>Is university more conservative and less likely to change, when governing bodies consist of internal members? Should the executive head of the university be selected only by internal members? Is the executive head of the university elected by internal members dependent on staff and its needs? What is the impact of external members in governing bodies to the management of university?</p> <p>Who does take the role of governing? What is the role of university board? How is the power of strategic decision making and operational decision making shared?</p> <p>Who does take leader role in the lowest possible unit of University (whether it is researcher either administrator)?</p> <p>Has the staff the right to elect the head of their own structures?</p> <p>Has the staff the right to propose new structures?</p> <p>Are academic structure and staff university rights?</p> <p>Is management system the university conception accredited by official quality Agency?</p> <p>What are the basic indicators of the differentiated work payment in terms of university autonomy?</p> <p>What should be the requirements for the organization of the competition for vacancies in terms of university autonomy?</p> <p>Has the staff of each component the right to elect themselves their representatives in the upper management structure?</p> <p>Has the staff the right to create teams to solve specific research and teaching tasks?</p>
<p>Interface III Employees - Students</p>	<p>What is the role of students in University management?</p> <p>Will the quality of staff- student's relations increase if the autonomy level increases? Do external members bring changes to study program or the study process?</p> <p>Is there a minimum percentage of students members in the faculty councils and the Senate?</p> <p>Is the procedure for the election of student representatives set by the students' organizations?</p> <p>Is the number of students and its repartition (state demand and other students) approved by a quality Agency at the university proposal?</p> <p>How might staff and students of the university be interested in the autonomy?</p> <p>May academic staff interfere in the students' election process?</p> <p>May the university conclude study contracts with its students?</p>
<p>Interface IV University – Business environment</p>	<p>Is autonomous university more attractive for business? Is it university that has external members in its governing bodies more reliable and open for business? What benefits university receives when it has business representatives in its governing bodies?</p> <p>Can business organizations or partners have an influence on the university structure?</p> <p>Does the university have the right to conclude business contracts or partnership agreement with companies?</p> <p>University has the right and obligations to develop relations with economical environment and civil society at the organizational level?</p> <p>What is the interest of the local businesses in university autonomy?</p> <p>In what the growing interaction between universities and business consists?</p> <p>Does the university have the right to set up cooperation relations with companies?</p>

Interface V University – Internationalisation	<p>Is autonomous university more open for international ideas? Does internalization process encourage greater autonomy for university?</p> <p>Are external relations of the university controlled by the government?</p> <p>Are there limits regarding cooperation with universities abroad?</p> <p>Is University involved in many international cooperation with other foreign universities?</p> <p>Is there a policy to attract foreign students? Do universities have this option?</p> <p>Can foreign universities open local branches/ study programs/etc?</p> <p>Does the university have the right to conclude cooperation agreements with other universities from abroad without the approval of the government?</p>
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Part II

Role of Government/Ministry

		Please tick	
		Yes	No
1.	Does the Ministry of Higher Education exercise overall responsibility for Higher Education?		
2.	If no, is this because federal or regional authorities exercise responsibility?		
3.	Has the Ministry and/or regional government established an independent legal entity (“arm’s length”) body to allocate funding		
4.	Is the Ministry supported in its policy making by a national advisory body?		
5.	Is there a national Rectors’ Conference (an organisation representing the Rectors/Presidents of Higher Education Institutions (HEIs) or equivalent?		
6.	Does this body represent the views of the Higher Education sector to Government?		
7.	Does it comment on draft Higher Education legislation?		
8.	Does the Ministry/Regional authority issue regulations for the structure of institutional governance?		
9.	Does the Ministry/regional authority require HEIs to develop a strategic plan?		
10.	Does the Ministry have to approve the HEI’s strategic plan?		
11.	How frequently must such a strategic plan be submitted?	Please tick one	
	Every year		
	Every two years		
	Every three years		
	Longer period (please specify)		
12.	Does the Ministry/Regional authority require an annual report from HEIs?		
13.	Is there a national database on Higher Education activities? (Such a database would provide comprehensive data on all aspects of Higher Education which might include numbers of students – by age, sex, level, year of study, subject area, graduation, employment, full-time, part-time; numbers of staff by age, sex, subject area, seniority, full-time, part-time; numbers of research staff on a similar basis; information on funding and a range of other performance data).		
14.	Would you describe this database as:	Please tick one box	
	Comprehensive?		
	Fairly comprehensive?		
	Not comprehensive?		
15.	Is there a national programme for ‘leadership’ development and training for Rectors and senior managers?		

16.	Would all senior managers in Universities be expected to attend courses in leadership and management?	Yes	No
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Institutional Governance and Management

17.	Would you describe state-funded Higher Education Institutions as autonomous? (Autonomy might be described as freedom for HEIs to run their own affairs, in particular in relation to staff, students, curriculum (teaching and examining), governance, finance and administration)	Yes	No
18.	Would you describe this autonomy as:	Please tick one box	
	Limited		
	High level?		
	Comprehensive?		
19.	Are Rectors / Presidents / Heads of Universities formally appointed by the Government?	Yes	No
20.	If yes, is there a selection procedure?	Yes	No
21.	Is the selection process 'open'?	Yes	No
22.	Is it restricted (e.g. to nominations from the institution concerned)?	Yes	No
23.	If the process is 'open' is the post advertised -	Yes	No
	Internationally?		
	Nationally?		
	Only within the Higher Education Institutions?		
24.	If the selection and appointment is an institutional responsibility, are any of the following elements part of the process?	Yes	No
	A selection committee?		
	Voting by constituencies		
	External advertisement?		
25.	Is it possible to appoint a Rector from another country?	Yes	No
26.	Would you describe the Governance structure in your Universities in general as:	Yes	No
	Collegial / Democratic?		
	Executive / Managerial?		
27.	Do Universities normally have a Senate/Academic Council or equivalent?	Yes	No
28.	What are the powers of the Senate?	Yes	No
30.	What proportion of the members are ex officio?		
31.	Who chairs the Senate-	Yes	No
	The Rector?		
	A Member of the Rectorate?		
	Other – Please specify		
32.	Are academic staff (excluding Deans and Heads of Department) represented on these bodies?	Yes	No
33.	If so, what proportion of the membership do they represent? (give %)		
34.	Are academic staff elected?	Yes	No
35.	If so, are there constituencies? (e.g. by Faculty, by department, by seniority?)	Yes	No
36.	Are students represented on these bodies?	Yes	No
37.	If so, what proportion of the membership do they represent (give a %)		
38.	If not, are they Student Union office holders?	Yes	No

39.	Would external stakeholders (e.g. representatives of employers, trade unions, local/regional authorities, other educational institutions, distinguished members of the public) normally be represented on this body?	Yes	No
40.	Do Universities normally have a separate “decision making body” (Governing body / Council)?	Yes	No
41.	If so, what powers does it have? [Need to insert an indicative list with tick boxes]		
42.	How are members appointed to this body -	Yes	No
	Ex officio? (give %)		
	By nomination? (give %)		
	Election? (give %)		
43.	Are academic staff (excluding Deans and Heads of Department) represented on these bodies?	Yes	No
44.	Who chairs the meetings of the ‘Council’ -	Yes	No
	The Rector?		
	A ‘lay’ member of the Council?		
45.	If a ‘lay’ member, who appoints the chair -	Yes	No
	The Government?		
	The Council itself?		
46.	Are students normally represented on this body?	Yes	No
47.	Would external stakeholders (e.g. representatives of employers, trade unions, local/regional authorities, other educational institutions, distinguished members of the public) normally be represented on this body?	Yes	No
48.	If yes, how are they appointed -	Yes	No
	By the Government?		
	By the Rector?		
	By a nomination committee?		
49.	If yes, would they constitute 50% or more of the membership?	Yes	No
50.	In addition to the two bodies referred to above, do Universities normally have an advisory/supervisory body?	Yes	No
51.	If yes, how are the members appointed -	Yes	No
	By the Government?		
	By the Rector?		
52.	If yes, would this body have any representation from the institution other than the Rector/President?	Yes	No
53.	If yes, would the representatives be:	Yes	No
	Senior Managers?		
	Academics?		
	Students?		
54.	Who appoints the Rector -	Yes	No
	The Government?		
	The University Council?		
	An independent external body?		
55.	Do Rectors/Presidents have a written job description?	Yes	No
56.	Is the format of this job description proposed/agreed by the Ministry/Regional authority?	Yes	No
57.	If no, is it the responsibility of the University “decision making body”?	Yes	No
58.	If no, please indicate which other body.		
59.	Do Rectors/Presidents have a fixed term of office?	Yes	No
60.	If yes, please indicate the duration.	3 years	

		4 years	
		5 years	
		6 years	
		7 years	
		More than 7 years	
61.	Can the term of office be renewed?	Yes	No
62.	Is there an absolute limit to the term of office?	Yes	No
63.	Are Deans elected?	Yes	No
64.	If yes, who elects Deans?	Yes	No
	Academic Staff?		
	Administrative Staff?		
	Students?		
65.	Are Deans appointed?	Yes	No
66.	If yes, who appoints the Deans -	Yes	No
	The Government?		
	The Rector?		
67.	In either case, is there a fixed term of office?	Yes	No
68.	Can Deans be reappointed?	Yes	No
69.	Is there an absolute limit on the duration of the appointment of Deans?	Yes	No
70.	Do Deans have a formal written job description?	Yes	No
71.	Is the format of this job description proposed/agreed by the Ministry/Regional authority	Yes	No
72.	If no, is it the responsibility of the University 'decision making body'?	Yes	No
73.	Are Heads of Department elected?	Yes	No
74.	Are Heads of Department appointed?	Yes	No
75.	If yes, who appoints the Deans -	Yes	No
	The Government?		
	The Rector?		
76.	Can Heads of Department be reappointed?	Yes	No
77.	Is there an absolute limit on the duration of the appointment?	Yes	No

Private Higher Education Institutions

		Please tick	
78.	Are there private Higher Education Institutions in your country?	Yes	No
79.	If yes, please indicate whether there are:	Yes	No
	A few		
	A large number		
80.	What proportion of the total do they represent (give a %)		
81.	Is the Governance of private Higher Education Institutions regulated by the Ministry?	Yes	No
82.	Do the same Governance regulations apply to private Higher Education Institutions as to State institutions?	Yes	No