

QUALITY ASSURANCE AND QUALITY CONTROL IN UKRAINIAN HIGHER EDUCATION
Accreditation and licensing system
(An analytical report)

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International Renaissance Foundation
Kyiv – 2007

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(this part is to be completed after experts and public discussion)

This analytical paper has been prepared as part of the International Renaissance Foundation project on “University Autonomy—An Element of Civil Society” and a joint project of the IRF, the European Association for Education Law and Policy, and the Antwerp University Center for Studies in Education that is being carried out as part of the TEMPUS program. The purpose of this analytic report is to describe the current system of licensing and accreditation of educational services and higher educational institutions, to identify its weaknesses and strengths, to define prospects for its reform, and to specify the dangers engendered by it and by external challenges independent of it. The authors have not set themselves the goal of developing recommendations for changes within this system. Recommendations will be elaborated after the discussion of this analytical paper with international experts at a conference in Yalta on 25-26 May 2007.

PART 1 SYSTEM FORMATION

After Ukraine gained its independence in 1991, processes of deep social transformation established a new agenda of tasks for the educational community as it turns higher education into a necessary stage of human development. The foremost consideration here should be high quality of instruction, which must not be compromised despite the drastic increase in the numbers of those seeking higher education and its ever-deepening diversification and internationalization.

The institutionalized assessment of the basic parameters and results of the functioning of educational institutions is a key instrument of the professional and social verification of its effectiveness. Particularly important here are licensing and accreditation procedures, which should be understandable, transparent and logically sequential. The highly dynamic evolution of these procedures under the influence of the multifaceted process of change in the nation's educational system has a brief but extremely intense history that requires special investigation.

According to the Universal Declaration on Higher Education for the Twenty-First Century, which was adopted by the World Conference on Higher Education in Paris in 1998, the quality of higher education is a multidimensional concept that encompasses all of its functions and modes of activity: teaching and academic programs, scholarly research and fellowships, staff selection, students, physical plant and material and technical resources, equipment, benefits to society, and the academic milieu. The declaration stressed that the paramount consideration for improving educational quality is combining internal self-evaluation with external evaluation by independent international experts with specialized qualifications in an atmosphere of openness.

In the Soviet period, quality control of higher education was ensured by the total integration of higher educational institutions into the state sector (the nominally distinct institutions of civic and cooperative organizations were in fact state-owned), as well as by uniform organizational principles applied to the educational process and curriculum plans and by periodic inspection of educational institutions according to branch of subordination. The whole system of quality control developed autonomously, taking no account of world experience, and was characterized by excessive stress on its congruence with the ruling ideology. The last decade of the Soviet period witnessed a certain liberalization of this system: local administrative bodies began to be involved in verification, and the status of accredited higher educational institution was introduced, which meant exemption from further periodic inspections.

In the first redaction of the Ukrainian law "On Higher Education" (23 May 1991), along with the established term "attestation" and the relatively new term "accreditation," the notion of "licensing" made its appearance. According to this law, the right to issue a duly approved document on educational qualifications to graduates was granted to "state-owned or other accredited teaching and educational institutions." Thus private educational institutions gained the theoretical right to issue state-approved documents on educational qualifications.

A national system for assessing the activity of higher educational institutions was initiated by the Government of Ukraine on 1 June 1992. Procedures for the licensing and accreditation of higher educational institutions were elaborated in due course. The principle of complete control of this process by the MES was also established at this time.

It was also announced that the basic principle for the accreditation of higher educational institutions would be "an orientation on the foremost quality standards for higher education, to be revised periodically." Unfortunately, a system of standards for higher education has yet to be fully developed.

It was established for the first time that licensing gave a higher educational institution the right to conduct educational activity. Attestation intended to determine the conformity of an educational institution's activity to state quality standards for various levels of certification

gave institutions the right to issue state-approved diplomas. Certification attested the recognition by state agencies of the conformity of indicators of professional training in higher educational institutions to world standards.

This system of licensing and accreditation remained in effect until 1996. It operated on behalf of the MES and made no provision for community involvement in the process of licensing and accreditation. Norms and procedures for the review of applications in this period were rather fluid and changed frequently.

The first years of the development of a national system of licensing and accreditation were a period in which ideas, principles and procedures were only taking shape, most documents had no Ukrainian precedents, and there was little familiarity with international practice. All this was complicated by the lack of experience in approving educational institutions and in the practical management of such a system in Ukraine. Nevertheless, quite a few opportunities and precedents for democratic decision-making on the complex problems of Ukrainian higher education were established at this time.

The change to a degree system of higher education in the mid-1990s, with the introduction of bachelor's and master's degrees, greatly increased the scope of licensing and accreditation.

The need to integrate Ukraine into world and, most particularly, European educational space demanded progress in the direction of generally accepted principles of licensing and accreditation. One of the key principles here was the broad participation of the professional community in the quality control of educational activity.

By late 1995 it was becoming clear that the whole complex of these problems had reached critical mass and required prompt systematic resolution. A decree of the president of Ukraine dated 12 September 1995 established basic priorities for a new state policy in the sphere of higher education. A State Accreditation Commission headed by the minister of education was formed in October 1995; regulations on the commission and its membership were ratified in February 1996. Regulations on the licensing and accreditation of higher educational institutions were ratified in the same month. This reform of educational legislation was crowned in March 1996 with the adoption of a new redaction of the law "On Education."

This inaugurated a system of licensing and accreditation in Ukraine characterized by the following basic parameters:

- a formally independent system for the state and community licensing and accreditation of higher educational institutions was established;
- expert councils composed of professionals in various disciplines became the basic element in the system of licensing and accreditation of higher educational institutions, and the expert members of such councils became the central figures in this process;
- criteria for licensing and accreditation changed several times in the direction of greater complexity and increasing regimentation;
- appropriate administrations of the MES played the leading role in organizing the licensing and accreditation process.

In 1996, the system of licensing and accreditation changed the "rules of the game" on the educational services market, which required educational institutions to work out new development strategies.

In the state sector of higher education, four basic strategies of behavior may be distinguished:

1. The "**moderate conservative**" strategy, which consisted in the maximum preservation and development of existing specialties and fields of study, along with offering a limited number of popular new market-oriented specialties;
2. The "**balanced development**" of educational institutions. This strategy provided for the development of existing specialties and fields of study, along with the deliberate offering of new fields in economics, law,

administration and the humanities related to the basic profile of the institution's activity;

3. The **“expansionist”** strategy was implemented by a number of higher educational institutions in the field of economics and administration and by individual institutions that switched their technical training to this field. It took the form of consistently offering and developing a broad spectrum of specialties in the economic, legal and administrative fields, along with the precipitous growth of enrollment on a contract basis;

4. **“Aggressive diversification”** of the spectrum of activity. This strategy was characteristic of a relatively small number of educational institutions that considerably (and often greatly) expanded their repertoire of fields of study and specialization in the course of a few years in pursuit of a single goal—obtaining additional income. Such expansion was not always correlated with opportunities for staff development or material and technical resources, resulting in low- quality education.

The choice of strategy adopted by state-owned higher educational institutions was generally determined by the leadership abilities and ambitions of their directors, as well by the managerial skills of existing administrative teams. There were practically no other serious restrictions on them, for the licensing and accreditation system was oriented toward the maximum promotion of their development and income growth.

The private sector operated under completely different conditions, constantly obliged to demonstrate its right to exist and to struggle actively to overcome its inferiority complex. Four strategies for the licensing and accreditation activity of private higher educational institutions may be identified:

1. **“limited development,”** which reckoned with restrictions on staff, financial and material resources and set moderate goals. This strategy allowed institutions to offer and maintain a limited number of specialties oriented toward a certain local or specific market sector of educational services;

2. **“selective development,”** based on offering and maintaining several (usually up to five) priority specialties that could be attractively marketed and economically justified, leading to higher levels of accreditation;

3. **“meeting needs aggressively,”** which called for dynamic expansion of offerings in specialties and fields of study and raising them to a higher level of accreditation. Criteria for the selection of specialties and the order in which they were offered included the institution's own priorities, market conditions and available resources;

4. **“deliberate isolation,”** meaning a policy of staying out of the licensing and accreditation system as long as possible in order to maintain freedom of action in offering non-standard educational programs at the price of being unable to issue state-approved documents of educational attainment and paying the value-added tax.

Many if not most higher educational institutions availed themselves of a variety of mixed and modified strategies of this sort that evolved or changed during this period, usually as a result of rotation in institutional leadership. Choice of strategy with regard to licensing and accreditation activity had a substantial influence not only on the priority and structure of the use of resources but also on the subsequent fate of many institutions.

From the very beginning, the established system began to demand continual effort on the part of educational institutions; the commitment of considerable intellectual, financial and manpower resources; and a certain amount of specialization in this field by some of their academic and administrative personnel. One may speak of the development of a phenomenon of “licensing and accreditation management,” at least in those educational institutions that

adopted active strategies for offering and developing new fields of study and professional training.

The most positive aspect of that system of licensing and accreditation was the rapid burgeoning of Ukraine's system of higher education in the years 1996-2000. Educational institutions took on the challenge posed by a society whose interest in higher education had grown substantially, and state institutions legitimized their activity.

The elaboration of the system of licensing and accreditation increased the powers of the state apparatus. Following the laws of bureaucratic development, processes subject to the state apparatus became steadily more complex, and verification procedures took on new dimensions. The introduction of new and more complicated licensing regulations in this period did not prevent the absolute majority of educational institutions (whatever their form of ownership) from overcoming this barrier and then proceeding to gain the right to issue state-approved diplomas (obtain accreditation).

PART 3 SYSTEM FORMAL DESCRIPTION

Actors and Interests

The subsequent analysis requires some preliminary acquaintance with the principal groups of players in this field, who have interests of their own in the licensing and accreditation process. In our view, they include the MES, the management of the large state universities, the management of small and middle (including private) higher educational institutions, and representatives of employers' organizations, professional associations, and the general public.

The Ministry of Education and Science (MES) of Ukraine is the authorized agent of the government and the state policy leader in the sphere of management of higher education. It cannot be said, however, that the ministry is the basic developer of state policy in the field of education. Influential centers of its development are the Science and Education Committee of the Verkhovna Rada of Ukraine, the Secretariat of the President of Ukraine, and the Secretariat of the Cabinet of Ministers of Ukraine, which often take positions of their own that vary in direction and priority. The Ministry of the Economy of Ukraine and the Ministry of Finance of Ukraine also exercise real, if latent, influence on the development of state strategy and tactics in the educational sphere, as they establish the norms and direct financing streams in the educational system. Depending on the dominance in these bodies of representatives of various political parties and economic clans, the formation of educational policy can undergo abrupt subjective shifts determined by ideological preferences and narrow group interests.

In recent years, the formation of national legislation and standards in the field of higher education has taken on features of democracy and openness. Highly qualified and authoritative professionals from higher educational institutions representing various regions, levels of subordination, and forms of ownership are becoming engaged in the development of key documents. Most projects are being made public for broad professional and general discussion in the press and on the websites of the MES and the *Verkhovna Rada* (Parliament) of Ukraine. The development of norms usually involves a number of discrete stages, creating considerable scope for lobbying activity. This is particularly apparent in the last phases of preparation of official decisions, when higher government bodies correct these documents behind closed doors in such a way as to make substantial changes in their publicly approved content and promote the maintenance of the status quo.

The interests of the largest state universities are a dominant factor in determining the main vector of state policy in the sphere of higher education. The reason for this is that the absolute majority of civil servants in central government bodies have obtained their higher education, sometimes including academic degrees, in those universities, and their children and grandchildren are being educated there at state expense. These are the universities

that supply most of the intellectual resources and staff of the MES and subunits of other government bodies engaged in the administration of higher education. Quite often, drafts of various documents, including those dealing with standards of higher education, are prepared by teams at those universities working at the behest of the MES. This opens broad avenues for the assertion of the corporate interests of the largest state universities in the development of educational norms. *Another contributing factor is that key indicators in the activity of the educational system, including financial ones, are established by this same group of institutions.* Nor should one overlook the fact that the rectors of these universities (who hold their appointments for many years) are influential political figures on the national and regional stage who often have their own channels of communication and contact with top state and government officials. Consequently, state agencies fail to take account of the fact that smaller and medium state, municipal and private educational institutions form an equally important component of the national educational system.

The priority of the interests of large state universities could be a driving force for reform and modernization throughout Ukraine's higher educational system if they came forward with transformative initiatives. In fact, however, they are held back by the tremendous inertia of the cumbersome and highly ramified bureaucratic administrative structure, as well as by a world view that remains oriented on the centralized Soviet system of higher education—a view common to the older academic and teaching staff who dominate the system in numbers and status.

Ukraine's responsibilities with regard to integration into the Bologna process require, in particular, the harmonization of its licensing and accreditation procedures with European standards and practice. The MES aspires to make the basic recommendations and requirements of the European higher educational space available to Ukraine's academic community, as well as to enrich the normative resources of Ukrainian education by introducing ideas and approaches approved in European countries. National and local experiments with the introduction of the credit-module system of organizing the teaching process in Ukrainian universities are now in their concluding stage. **However, there is no follow-up projects that would enable MES to obtain a background information about strengths and weaknesses of the credit-module system implementation.**

Nevertheless, national legislation stands in the way of the implementation of European standards. Appropriate legislative amendments need to be approved by parliament, which is in no hurry to examine bills dealing with education, develops their texts under the strong influence of left-wing parties, and produces new versions of bills on the "amalgamation" principle, which usually ensures that they are voted down. No less significant is the total lack of trust between students and universities on the one hand and universities and the MES on the other. Universities do not trust students to learn on their own, while the MES does not trust the quality of the universities' educational services. Under such conditions, the introduction of real university autonomy and the broadening of the academic rights and liberties of students and teachers—the key idea of the Bologna process—remain problematic.

A second influential player in the field of licensing and accreditation is the management of large state universities. Since the problems and interests of these institutions are similar, it is relatively easy for them to formulate a consolidated position and implement it through the resources of the MES, as elaborated above.

A strategic goal of large state universities is to maintain exclusive access to reduced standards of licensing and accreditation. This involves the establishment of the longest possible terms of accreditation, the simplest possible renewal procedure, and maximum loyalty to these institutions on the part of the expert commissions that evaluate them. Thus, educational institutions with national status are accredited for a ten-year period, while others are generally obliged to renew their accreditation every five years. Expert evaluation procedures are effectively relaxed, while maintaining the appearance of strictness, and the favor of expert

assessors is ensured through the involvement of staff from other large state universities who are informally bound by joint corporate interests.

The most effective instrument for the attainment of the above-mentioned strategic goal is the development of a system of parameters for licensing and accreditation that reflect, to the greatest extent possible, the natural advantages of the large state universities. This involves, first and foremost, a strong accent on the availability of staff lecturers with the highest qualifications. No less significant is the universities' insistence on the availability of large-scale teaching, research, auxiliary and other resources. Finally, licensing requirements provide for a well-developed social infrastructure (cafeterias, student residences, stadiums, gymnasiums and the like). Once the need for such infrastructure is established in licensing and accreditation criteria, there are good grounds to expect the state to assume the costs of maintaining and renewing it.

A further element of the policy of creating exclusive conditions for the development of large universities is the *artificial complication of licensing and accreditation requirements for other categories of universities*. A central aspect of this process is the monopoly of the largest state universities on the development of national standards for higher education, which are keyed to the current staff, methodological, material and technical resources of the large universities. Other universities play only a nominal role in the development of standards. For the most part, these standards take little account of current trends in world science and education, reflect local conceptions of present-day scholarship and research, are overburdened with detail, and fail to ensure priority concentration on competent levels of training. The dominance of a narrowly professional approach to the development of standards entails the systematic narrowing of university autonomy in determining the form and content of education: the European principle of harmonization is subverted by the unification of curriculum plans and programs.

Another dimension of this policy is total control over the pool of experts who directly assess educational institutions for purposes of licensing and accreditation. This ensures an actual double standard in the assessment of different groups of educational institutions, making one group dependent on another. Biased expert assessments establish grounds for regular media campaigns intended to convince the general public that quality higher education is available only in the largest national universities.

Symptomatic of the attitude of the large-university group **was** their prejudice against European technologies for the assessment of educational quality based on the results of independent outside expert assessments that take account of the satisfaction of all interested parties (insiders and stakeholders). This attitude **was** based on the not unfounded apprehension that an objective "undirected" assessment would destroy their aura of exclusivity and uncontested leadership. A convenient substitute for objectified expert assessments is systematic comparison with the practice of higher education in Russia, which subconsciously continues to be regarded as the model for emulation. **However, some initiatives in this field were undertaken recently. The project on universities external ratings supported by UNESCO was started by a group of technical universities at the beginning of 2007.**

The next significant participant in the licensing and accreditation process is the management of middle and small (including private) universities. Regardless of their sectoral and regional allegiances, as well their different forms of ownership, this group of institutions is characterized by similarity of interests and problems. Their relatively small scale of operation does not allow them to play an influential role in the educational sphere: graduates of these institutions are rather poorly represented in the ruling elite, and their presence is not usually felt beyond their locality; hence the public traditionally regards them as a background element of the educational landscape. From the viewpoint of the system of state administration, it makes sense to limit the number of such institutions, as most of them have no unique features, and their network can potentially be optimized. Illustrative of this policy is the norm according to which such institutions are granted only five-year licenses, while large national universities receive ten-year licenses.

Nevertheless, the group of middle and small (including private) universities is quite numerous, accounting for a large number of students (no less than a third of Ukraine's total). They are in a position to react quickly to the demands of the labor market. Similarity of interest and capacity for exerting influence promote joint tactics in the licensing and accreditation process, which, given their numbers, has a cumulative effect.

The main element of these tactics is the struggle for licensing and accreditation criteria that favor this group of universities. In their eyes, such criteria consist of relative and dynamic indicators that promote a favorable assessment of available resources on a per-student basis, as well as the pace of development in recent years. From the viewpoint of this group of educational institutions, the assessment of their performance should give greater weight to the relatively larger amount of time spent by their most experienced teachers (professors and assistant professors) on working with students and developing methodology. The system of licensing and accreditation lacks instruments for assessing the democratic partner relations that prevail among students, teachers and management in most of these universities. Naturally, all this is the result of their small academic staff and limited material, technical and financial resources. Existing procedures require a large amount of highly qualified work whose extent bears little relation to the scale of the educational institution, thus entailing a burdensome layout of intellectual resources for this group of universities. This regularly prompts such institutions to call for the easing of licensing and accreditation procedures by eliminating or radically simplifying some of them.

Many of these institutions seek a way out by projecting a specific image through the use of effective current marketing techniques.

Unfortunately, *representatives of employers' organizations, professional associations and the general public not only are not actively involved in the licensing and accreditation process but do not even aspire to influence it significantly in the future.* The reasons for this are the relative underdevelopment of civil society in Ukraine as a whole and the relative independence of the spheres of business and education. Unlike the normal situation in a market economy, in which the needs and labor requirements of employers largely determine the structure and content of educational programs, in our state this function has been assumed by the elite of the educational community as embodied in the MES and the large state universities.

Most employers' organizations act as mere formal representatives of their members. They enjoy no recognition from society in general and lack the capacity to formulate a strategic vision of relations between business and education. Often they cherish notions of obtaining qualified personnel without the need to establish long-term partner relations with educational institutions. They fail to understand the need to take part in formulating the content of professional training and lack knowledge of the current educational process, which practically eliminates any possibility of their influence on the licensing and accreditation process in the near future.

Professional associations in Ukraine are still at an early stage of development, strategy formation and designation of leaders, which makes it impossible for them to exercise appreciable influence on the basic components of established procedure in the educational sphere. The current status of civil society in Ukraine leaves little room for illusions about its capacity to play an active role in controlling the sphere of higher education. Problems of education are marginalized in the programs and practice of political parties. State institutions do not regard many non-governmental organizations and community movements as partners in the improvement of Ukraine's educational environment.

Bodies and Structures

Administration in the sphere of higher education in Ukraine is carried out by the Cabinet of Ministers of Ukraine (CMU) through a system of executive bodies. Administration within their respective terms of competence is carried out by: the Ministry of Education and Science (MES) of Ukraine (whose central apparatus employs 260 professionals); by other central executive bodies that supervise higher educational institutions; by the Supreme Certification Commission of Ukraine; the government of the Autonomous Republic of the Crimea; local self-government agencies; owners of higher educational institutions; and civil self-government agencies.

The MES of Ukraine is the principal body in the system of central executive bodies responsible for carrying out state policy in the sphere of education; educational, scientific and technical, and innovative activity; and intellectual property.

Financing for state-owned higher educational institutions is provided by the state budget. The Council of Ministers of the Autonomous Republic of the Crimea, local state administrations, and executive bodies of appropriate councils may finance state-owned higher educational institutions according to programs of regional socioeconomic development.

The Ministry of the Economy of Ukraine, together with the MES, plans state requirements for the training of professionals with higher educational qualifications. Through the State Treasury, the Ministry of Finance of Ukraine provides for the disbursement of budgetary allocations to state-owned higher educational institutions.

Higher educational institutions owned by the Autonomous Republic of the Crimea and municipally owned higher educational institutions are financed out of their respective budgets. Private higher educational institutions are financed by their owners out of fees for the provision of educational services.

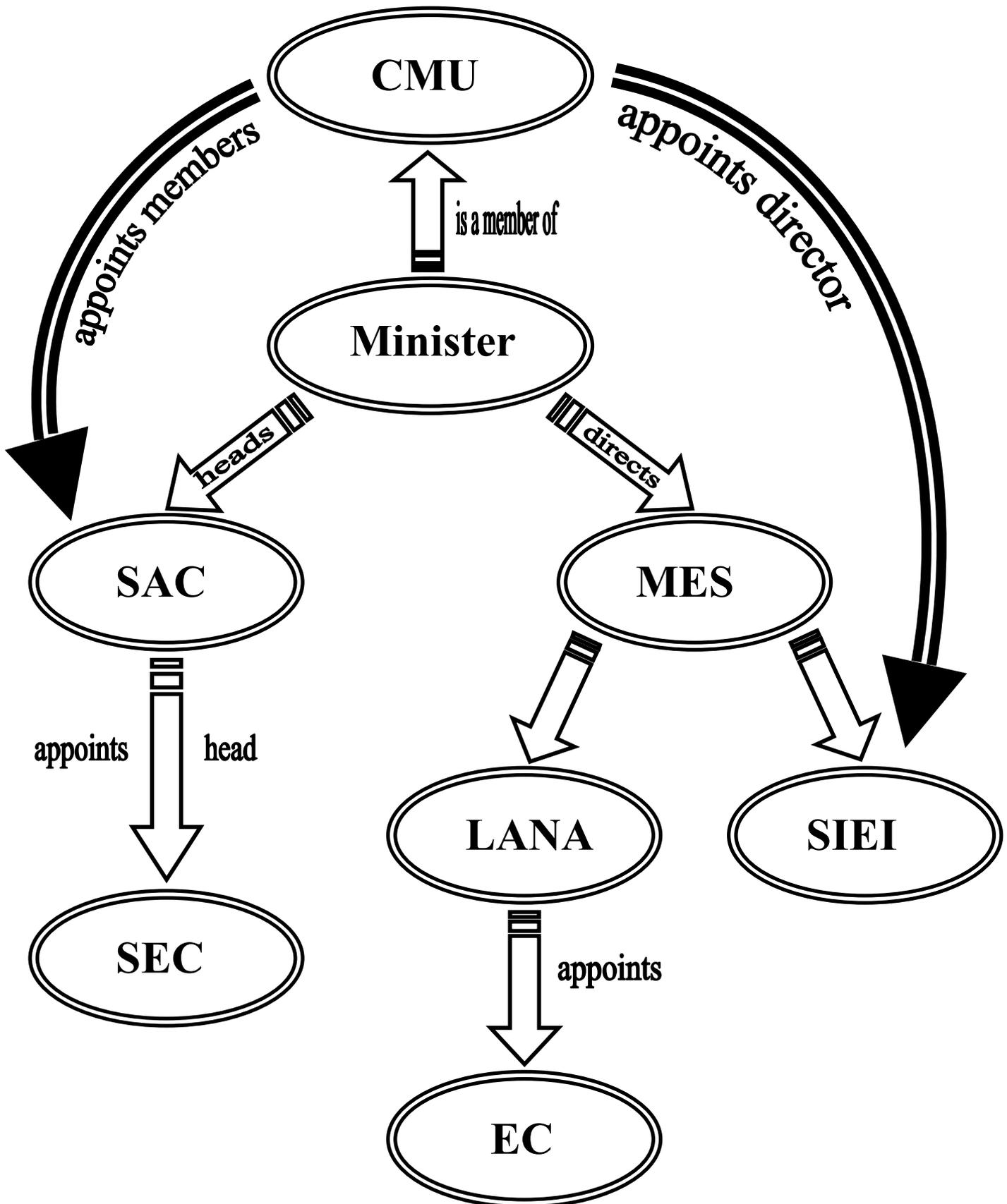
Additional sources of financing not prohibited by law are also used to finance higher educational institutions. Most of this income consists of student tuition fees. This income is used to carry on the statutory activity of higher educational institutions according to procedures and conditions defined by law and by the statutes of these institutions.

Within the MES and state-owned higher educational institutions, **external verification** of adherence to legislation on the use of budgetary allocations for the training of professionals with higher educational qualifications is provided by the Verification and Inspection Administration of the Ministry of Finance of Ukraine. General supervision and analysis of the effectiveness of the use of budgetary allocations is one of the responsibilities of the Accounting Office, which is subordinate to the Verkhovna Rada (Parliament) of Ukraine. Verification of adherence to tax legislation is carried out by local inspectorates of the State Tax Administration of Ukraine. Within the limits of their competence, the Pension Fund and various social insurance funds also verify adherence to fiscal discipline.

Institutional hierarchy and functions

The structure of the system of licensing and accreditation of higher educational institutions corresponds to the institutional hierarchy of administration, financing and verification in the educational sphere. The hierarchy is headed by the supreme executive body, the Cabinet of Ministers of Ukraine. Functional relations between state bodies and their subunits involved in licensing and accreditation procedures are shown in figure 1.

Figure 1. Functional relations between state bodies and their subunits involved in licensing and accreditation procedures



CABINET OF MINISTERS OF UKRAINE

- establishes procedures for issuing licenses to higher educational institutions in Ukraine for educational activity;
- establishes procedures for accreditation of fields of study, areas of specialization, and higher educational institutions, as well as the issuing of accreditation certificates
(Law of Ukraine “On Higher Education” of 17 January 2002, no. 2984-III);
- appoints members of the State Accreditation Commission
(Regulation on the State Accreditation Commission, ratified by Resolution no. 1380 of the Cabinet of Ministers of Ukraine, dated 29 August 2003);
- appoints the head of the State Inspectorate of Educational Institutions
(Regulation on the State Inspectorate of Educational Institutions, ratified by Resolution no. 1614 of the Cabinet of Ministers of Ukraine, dated 29 November 2001).

The licensing and accreditation of all higher educational institutions is organized and verified by the MES of Ukraine. It also maintains the State Registry of Higher Educational Institutions.

MINISTRY OF EDUCATION AND SCIENCE OF UKRAINE

- ratifies conditions of licensing for the provision of educational services;
- ratifies procedures for verifying adherence to conditions of licensing for the provision of educational services;
- ratifies regulations on expert commissions and procedures for carrying out the expert evaluation of licensing;
- establishes and ratifies the registry of experts and the membership of expert commissions;
- follows established procedures for the licensing and accreditation of all higher educational institutions regardless of ownership and subordination.
(Law of Ukraine “On Higher Education” of 17 January 2002, no. 2984-III; Regulation on the Ministry of Education and Science of Ukraine, ratified by Directive no. 773/2000 of the President of Ukraine, dated 7 June 2000; Regulation on the Ministry of Education and Science of Ukraine, ratified by Resolution no. 1757 of the Cabinet of Ministers of Ukraine, dated 19 December 2006).

A component of the MES structure is the Licensing, Accreditation and Nostrification Administration (LANA), which consists of a department of normative and legal standards, a department of expert evaluation, and a nostrification sector. The LANA is subordinate to the deputy minister of higher education. It has ten staff members.

LICENSING, ACCREDITATION AND NOSTRIFICATION ADMINISTRATION (LANA)

- develops documents establishing normative and legal standards, as well as methodological and instructional norms, criteria and standards for the licensing and accreditation of educational services;
- makes provision for organizing the work of the State Accreditation Commission (SAC);
- develops proposals on the network and membership of SAC Expert Councils;

- develops proposals concerning the registry of experts on licensing and accreditation and provides organizational resources for maintaining this registry;
- organizes the performance of expert evaluations of higher educational institutions and fields of specialization in higher educational institutions;
- organizes the education and training of experts appointed to carry out expert assessments for purposes of licensing and accreditation;
- verifies adherence of educational institutions to conditions for the provision of educational services;
- provides consultative services with regard to licensing and accreditation and coordinates related activities of branch ministries, departments, regional administrative bodies responsible for education, educational institutions and the like;
- provides for cooperation with accrediting bodies in foreign countries (preparation of appropriate contracts; study of accumulated experience; exchanges of experts and the like);
- prepares and issues accreditation licenses and certificates;
- preserves the materials of expert evaluations for purposes of licensing and accreditation; ensures their transfer to SAC archives.

(LANA activities are regulated by internal documents of the Ministry of Education and Science of Ukraine that are published on the Internet at <http://www.mon.gov.ua/license/management>.)

The administration of licensing and accreditation procedures is carried out by the **State Accreditation Commission (SAC)**. This is a permanently functioning body responsible for ensuring adherence to state standards of licensing and accreditation of higher educational institutions and institutions of post-diploma education in fields of study (and specialization) pertaining to the training and retraining of professionals and various types of post-diploma education. SAC regulations are ratified by the Cabinet of Ministers of Ukraine. SAC organization and financing are the responsibility of the MES.

SAC membership is ratified by the Cabinet of Ministers of Ukraine. Currently it has 30 members and is chaired by the Minister of Education and Science of Ukraine (ex officio). The other members of the SAC are as follows:

- 4 officials of the MES and SAC apparatus;
- 6 officials of other government bodies;
- 13 directors of state institutions of higher education accredited at levels III and IV, representing 232 universities, academies and institutes;
- 1 director of a higher educational institution accredited at level I or II, representing 606 technical colleges and colleges of all forms of ownership;
- 4 directors of private higher educational institutions accredited at levels III and IV, representing 113 universities, academies and institutes;
- 1 representative of employers' organizations (first vice president of the Employers' Federation of Ukraine).

Organization and technical support for the SAC is provided by its administrative department, headed by the department director—the managing secretary of the SAC.

STATE ACCREDITATION COMMISSION

- takes part in organizing the licensing and accreditation of educational institutions and fields of study (specialization) pertaining to professional training;
- examines and decides questions of licensing and accreditation of educational institutions according to legislation;
- presents proposals to the MES concerning the amendment of legislation pertaining to licensing and accreditation of educational institutions;

- determines procedures for the establishment and functioning of expert councils; appoints heads of expert councils;
- creates appropriate conditions for expert councils' review of licensing and accreditation applications submitted by educational institutions;
- coordinates supervision of adherence to licensing conditions for the provision of educational services by educational institutions.

(Regulation on the State Accreditation Commission ratified by Resolution no. 1380 of the Cabinet of Ministers of Ukraine, dated 29 August 2003; Regulation on expert commissions and procedure for expert evaluation of accreditation ratified by Directive no. 16 of the Ministry of Education and Science of Ukraine, dated 14 January 2002.)

Expert councils attached to the SAC are created for preliminary examination of materials pertaining to the licensing and accreditation of higher educational institutions. Expert councils carry out the preliminary examination of materials pertaining to licensing and accreditation according to the findings of expert commissions and prepare expert conclusions. Expert councils bear responsibility for the soundness of the decisions that they adopt and are required to ensure that expert assessments pertaining to licensing and accreditation are conducted according to appropriate standards. There is no legal mechanism to ensure the accountability of members of expert councils. Staff members of higher educational institutions whom the MES considers best qualified are appointed to carry out the functions of members of expert councils. Heads of expert councils are appointed by decision of the SAC. Procedures for the creation and functioning of expert councils are established by regulations ratified by the SAC.

There are currently 17 expert councils attached to the SAC, with a membership of more than 600 professionals.

On average, 30-40 (but no more than 40) professional staff members of higher educational institutions and state administrative bodies serve on expert councils. Periodically (once every 1.5-2 years), the MES rotates the membership of expert councils (30-40 percent of each council's membership).

SAC EXPERT COUNCILS (SEC)

- carry out preliminary assessments (before SAC meetings) of licensing and accreditation materials according to the reports of expert commissions and regional expert councils; they then prepare expert conclusions;
- bear responsibility for the soundness of the decisions that they adopt and are required to maintain a high level of expert assessment with regard to licensing and accreditation.

(Regulation on the State Accreditation Commission ratified by Resolution no. 1380 of the Cabinet of Ministers of Ukraine, dated 29 August 2003; Regulation on expert commissions attached to the State Accreditation Commission ratified by decision of the SAC, dated 25 October 2001, Protocol no. 35.)

*Recommendations of expert councils attached to the SAC are based on materials produced by **expert commissions**.*

An expert commission is a group of experts formed by the MES that carries out an expert assessment concerning the licensing or accreditation of an educational institution with a view to establishing its capacity to meet state requirements for educational activity or the appropriateness of its educational activities. Experts are recruited from among leading professional staff members of educational institutions and academic bodies regardless of form of ownership or subordination. Some of them may be appropriately educated and qualified specialists serving in enterprises, institutions and organizations who possess practical work experience and the requisite skill and knowledge to carry out an expert assessment of an educational institution.

Candidacies of potential members of expert commissions are submitted on request of the MES by educational institutions, enterprises, institutions and organizations; candidates are selected by the MES (LANA). The principal selection criteria are appropriate qualifications, practical work experience in higher educational institutions, possession of academic titles and degrees, and official recognition of pedagogical achievement.

The director and members of an expert commission entrusted with carrying out an expert assessment for the licensing or accreditation of a specific educational institution are selected and ratified by the MES (by directive of the deputy minister). Each commission consists of 2 or 3 members. Staff members of the institution undergoing assessment may not serve on the expert commission. The director of the expert commission organizes its work and is responsible for the quality of its findings. **The activity of an MES expert commission is financed by the higher educational institution under review.**

MES EXPERT COMMISSIONS

- carry out expert assessments of educational institutions in order to establish the appropriateness of their educational activities as determined by state standards: they verify the reliability of information submitted to the MES by a given educational institution together with its application for licensing or accreditation; the degree to which the academic, methodological, staff, material, and technical resources of the given institution conform to norms established by legislation, and the appropriateness of its educational activity as determined by state standards with regard to the training and retraining of professionals;
- prepare a properly substantiated recommendation on whether to license and accredit a given educational institution (field of study or specialization), inform its director accordingly, and submit their findings to the SAC within a week of completing the expert review;
- submit proposals to the MES concerning improvements in the educational activity of educational institutions; criteria, standards, indicators and procedures for their implementation; and amendments and supplements to normative legislation in the educational sphere.

(Regulation on expert commissions and procedures for conducting expert assessments ratified by Directive no. 16 of the Ministry of Education and Science of Ukraine, dated 14 January 2002.)

Operative (current) verification and inspection of adherence to licensing conditions for the provision of educational services may be conducted by the following bodies:

- 1) *The Ministry of Education and Science of Ukraine, through the creation of special commissions on the basis of one of its subunits;*
- 2) *Local educational administrative agencies (oblast administrations of education and science), through the creation of special commissions;*
- 3) ***The State Inspectorate of Educational Institutions, within the limits of its competence, by carrying out periodic and non-periodic inspections. The State Inspectorate is headed by a director appointed by the Cabinet of Ministers of Ukraine on the recommendation of the Minister of Education and Science.***

STATE INSPECTORATE OF EDUCATIONAL INSTITUTIONS (SIED)

- verifies the adherence of educational institutions to the laws of Ukraine and other legislative norms concerning education;
- periodically assesses the activity of higher educational institutions: inspects educational institutions with regard to the organization of education,

appropriate upbringing, academic and methodological standards, attainment of pedagogical potential and use of material resources; development of material and technical resources and the social sphere; adherence to state standards for quality of student training and the like;

- informs educational administrative bodies about the schedule and results of inspections of educational institutions; takes appropriate action to correct violations and inadequacies uncovered by its work and to obtain an accounting from those responsible;

- draws general conclusions on the basis of state inspections of the activity of educational institutions; develops proposals for improving the system.

(Regulation on the State Inspectorate of Educational Institutions ratified by Resolution no. 1614 of the Cabinet of Ministers of Ukraine, dated 29 November 2001.)

PART 4 SYSTEM FUNCTIONAL DESCRIPTION

Logistical framework: standard licensing application

Stage 1. Submission of a licensing application

The licensing of services is carried out upon receipt of an application from an educational institution. The application specifies the educational service for which the applicant is requesting a license.

The following supporting documents are required:

- 1) statutory documents (Statute of a higher educational institution or Regulation of its activity) (see *Specimen Statute of a higher educational institution in appendix 1*);

- 2) copy of decision of owner(s) or of a body authorized by him (them) to establish an educational institution (for state [municipal] educational institutions, a decision of the Cabinet of Ministers of Ukraine or a body of local self-government to establish a higher educational institution; for private educational institutions, a statutory agreement). If there are more than two owners or authorized bodies, a copy of the statutory agreement is submitted;

- 3) copy of certificate of state registration of educational institution and copy of certificate of entry in the Consolidated State Register of Enterprises and Organizations of Ukraine;

- 4) statement of activity according to declared field of study (educational service) based on the results of monitoring of local labor market and educational services and sanctioned, as appropriate, by the Council of Ministers of the Autonomous Republic of the Crimea or the oblast, Kyiv or Sevastopol city state administration on whose territory the institution plans to deliver the declared services (requirements for the statement of activity according to the declared field of study or educational service are given in appendix 2);

- 5) copies of duly approved academic or professional training programs, assessments of educational qualifications, and curriculum plans (requirements for content of educational and professional programs and assessments of educational qualifications are given in appendix 3);

- 6) information on quantitative indicators of material, technical, academic, methodological, and staff resources for educational activity; availability of a library and the extent of its holdings; data on information resources according to duly approved norms (requirements for the structure and content of this information are given in appendix 4);

- 7) copies of documents attesting to right of ownership or right of administrative operation, or right of use of basic resources for carrying on

educational activity for a period no less than that required to complete provision of service;

8) certificate of a banking institution on the establishment of the educational institution's statutory fund (if legislation requires the establishment of such a fund);

9) certificates from state agencies responsible for fire safety, health services, and labor safety affirming that the premises and material and technical resources of the educational institution meet established standards, norms and regulations;

10) copies of documents attesting to the level of education, qualifications, and citizenship of the institution's director: diplomas of higher education, academic degrees and title (if applicable); first page of passport;

11) consent of executive bodies of government, if such consent is required by legislation and essential for the organization of educational activity by profession, field of specialization, and field of study;

12) if a given educational institution has distinct structural subunits (branches, representative offices and the like), copies of decisions on their establishment, registration, and regulations for structural subunits, as well as other documents specified in this clause.

Educational institutions of foreign states or their structural subunits functioning in Ukraine must also submit the following documents:

1) copy of document certifying the establishment of the educational institution or its structural subunit ((branch, representative office and the like) on the territory of Ukraine (permission of the MES; international agreements);

2) document from state administrative agency in charge of education in the institution's home country granting permission to the educational institution or its structural subunit to establish premises and carry on activity on the territory of Ukraine;

3) document certifying recognition of the program according to which educational activity is to be conducted by the country in which the institution functions;

4) program and curriculum plans according to which educational activity is to be conducted, as approved by the MES.

Ukrainian educational institutions planning to conduct activity according to educational programs of educational institutions with the status of foreign legal persons must also submit the following documents:

1) document on the registration of the given educational institution with the status of a foreign legal person in its home country according to established procedure;

2) permission of the given educational institution with the status of a foreign legal person to make use of its program of educational activity and to issue a document on the results of study approved by the central state agency in charge of education in the institution's home country;

3) certificate from the central state agency in charge of education in the institution's home country on accreditation (recognition) of educational programs according to which educational activity is to be conducted;

4) programs and curriculum plans according to which educational activity is to be conducted, as approved by the MES.

Stage 2. Preliminary expert assessment of licensing application

This procedure is conducted by staff members of the Licensing, Accreditation and Nostrification Administration (LANA) of the MES. If the applicant submits incomplete documentation or documentation with unreliable information, or if the statutory documents do not meet legislative requirements, the documents are returned within ten days to the educational institution with a written refusal to issue a license, stating applicable reasons. If deficiencies in the documentation are insignificant, the educational institution is advised to correct them promptly and resubmit its application.

If documentation meets established requirements, it is accepted for processing by the SAC.

Stage 3. Appointment of expert commission

The capacity of an educational institution to conduct educational activity (provide educational services) is established by means of an expert licensing assessment.

Within 15 days of receipt of a licensing application, the LANA prepares an MES directive on the formation of an expert commission, its membership and work schedule in the educational institution itself. Experts are selected by the LANA.

The MES may delegate its powers with regard to the formation of expert commissions for the purpose of expert licensing assessment to local bodies in charge of educational administration.

Stage 4. Work of the expert commission

The number of experts assigned to an educational institution depends on the number of educational services for which licensing is requested, but there may be no more than 3 experts for any one educational service. The time spent by an expert commission in the educational institution itself may not exceed three working days.

In the educational institution, the expert commission verifies the following:

- reliability of information submitted to the MES;
- actual status of staff, academic, methodological, material, technical, and informational resources in the educational institution and its suitability with regard to established requirements.

According to established procedure, the commission (or authorized individual) has the right to obtain any information from the educational institution or from other institutions and organizations active in the educational sphere concerning the given institution's activity as regards licensing.

According to the results of its expert assessment, the expert commission prepares a substantiated opinion on the capacity of the given educational institution to provide the educational service specified in its application.

The director of the educational institution is apprised of the opinion of the expert commission and has the right to provide explanations and submit comments on the content of the opinion and the assessment procedure.

The licensing assessment is financed by the educational institution under review.

The opinion of the expert commission is submitted to the body that established it.

Stage 5. Examination of licensing application by an Expert Council of the SAC

Materials are examined at meetings of Expert Councils on the basis of opinions submitted by expert commissions, and final expert opinions are formulated for subsequent SAC meetings.

For every application, the head of the council appoints a council member as an expert according to professional qualifications. This member carries out the expert assessment of the application and prepares the draft of a substantiated opinion.

Following the report of an expert on a given educational institution, a discussion is held, and the council adopts an appropriate decision.

Within 10 days of its adoption, the council's decision is submitted to the SAC together with the licensing application.

If the council's decision is negative, the educational institution is notified within ten days of the decision's adoption. The council's decision on the question is simultaneously communicated to the SAC.

Stage 6. Examination of licensing application at a meeting of the SAC

Meetings of the SAC consider expert opinions of expert councils according to the results of expert licensing assessments. These meetings adopt decisions on the possibility of granting a license.

The SAC may also develop proposals concerning amendments to norms and legislation governing the licensing of higher educational institutions.

In particular, the SAC is empowered to:

- return licensing materials to expert councils for further assessment and to make decisions on repeated or additional expert assessments;
- to consider questions and submit proposals to the MES to suspend or annul licenses if an educational institution violates licensing requirements for the provision of educational services.

The absence of representatives of an educational institution cannot serve as grounds for failure to adopt a decision on the part of the SAC or an expert council.

Stage 7. Issuing of a license by the MES

On the basis of a SAC decision on the possibility (or impossibility) of granting a license to an educational institution that has applied for licensing of its educational activity, the licensing body adopts a decision on issuing or denying a license to the applicant.

The MES has the right to verify the legality and grounds of decisions adopted at any stage of the licensing procedure.

The time taken by a licensing body to render a decision on the application of an educational institution may not exceed a total of two months from receipt of the application and all requisite documents.

A license is issued for a period of 3 to 12 years, but no less than the time required for completion of an academic cycle. The period of license validity is established by the MES.

Logistical framework: standard accreditation procedure

Stage 1. Submission of an application for accreditation

Accreditation is carried out upon receipt of an application from an educational institution. The following supporting documents are required:

For accreditation of a specialty

1. Copy of license (for renewal of accreditation, copy of certificate of accreditation is also required) for the specialty to be accredited.
2. Copy of certificate of entry in Consolidated State Register of Enterprises and Organizations of Ukraine;
3. Document certifying right of ownership (use) of premises for conduct of educational activity for a period of time required to complete an academic cycle; if a rental agreement is submitted, a document must be appended certifying the lessor's right of ownership or the consent of the property owner to a sublease if the lessor's property is not owned by the state or a municipality.
4. A report on activity pertaining to the specialty for which accreditation is sought, including the following:
 - 4.1. Information about:
 - staff resources (a table specifying the qualifications of pedagogical personnel taking part in the training of professionals in the given specialty);

instructional and methodological resources (curriculum plans, professional training program, assessment of educational qualifications, table of availability and range of educational and methodological resources for the given specialty, and library resources, all approved and certified according to standard procedure);

material and technical resources (infrastructure, space and equipment used for instruction);

conformity to requirements and criteria established by the MES and the SAC (for a comparative table of criteria and requirements for the accreditation of professional training on particular levels, see appendix 5).

4.2. Results of testing in fundamental, humanities and professional disciplines (in tabular form);

4.3. Record of observations (instructions) of state inspection agencies, as well as complaints from legal and physical persons concerning the educational institution's educational activity in the specialty for which accreditation is requested during the period of professional training (or retraining), measures taken to deal with such complaints, and information about procedures employed in carrying out said measures.

For accreditation of a higher educational institution on a certain level

5. Materials specified in paragraphs 2, 3, 4 above.

Under par. 4.1, the applicant is to provide general information about the educational institution as a whole.

6. Register of all specialties in which the higher educational institution provides training (or retraining) and their levels of accreditation (copies of licenses and certificates for all specialties in which the institution trains professionals).

7. The following additional information is to be provided:

7.1. Total number of students in the higher educational institution; their breakdown according to fields of study, specialties, and forms of instruction.

7.2. Results of activity in graduate and doctoral programs over the past 5 years (for higher educational institutions of accreditation level IV).

7.3. Data about relations with international educational institutions and educational organizations.

7.4. Information on publication and preparation for publication of textbooks and study guides, including those adopted by the MES, over the past 5 years.

(The structure and basic format of self-study (self study or self examination?) materials pertaining to accreditation are given in appendix 6).

The subsequent stages of accreditation are similar to those of the licensing procedure, with the following particularities:

1. The time spent by an expert commission in the educational institution itself should not exceed five working days.

2. In the course of its work, an expert commission samples student knowledge of particular disciplines and of the profession as a whole. In preparing its opinion, the commission takes account of sampling results and their relation to indicators established by the MES.

3. The expert opinion on accreditation of the higher educational institution is submitted directly to the SAC.

4. When a certificate of accreditation expires, the accreditation procedure is repeated. If the educational institution has not violated requirements for organizing and carrying out the educational process during the previous accreditation period, as attested by the results of appropriate verification by state inspection agencies, accreditation may be renewed without inspection by an expert commission. In such cases, an MES expert prepares a substantiated opinion based on an examination of materials provided and submits it to a SAC expert council (if the institution is accredited, directly to the SAC).

The general procedure for the examination of licensing and accreditation applications is given in figure 2

Figure 2. General procedure for the examination of licensing and accreditation applications (see annex)

QUANTITY OF ACCREDITATION PARAMETERS

The system of accreditation norms in Ukraine is still in the process of evolution. The tendency toward liberalization that characterized the 1990s changed in the direction of strengthening state control and regulation after 1999.

Sections of normative documents concerning accreditation	Number of indicators in sections				
	1992	1996	1999	2003	2004
<i>Educational activity</i>	47				
<i>Conditions of educational activity</i>		22			
<i>Results of educational activity or Qualitative assessments of professional training</i>		11	12	8	11
<i>Academic and methodological resources</i>		10	9	11	11
<i>Information resources</i>			3	5	5
<i>Material and technical resources</i>		5	3	8	7
<i>Academic research and production or academic resources for educational activity</i>	35	9	2		
<i>Staff work; training and certification of academic and teaching staff with advanced qualifications or Staff resources for professional training</i>	29	7	9	8	12
<i>Financial, commercial and economic activity or Use of fees for paid services in the educational process</i>	18	1	1	1	0
<i>International relations and foreign economic activity</i>	9				
<i>Social sphere</i>	10				
<i>Total</i>	148	65	39	40	46

It should be noted in particular that stress has usually been placed on staff indicators, teaching and methodology, and material and technical resources. Peripheral attention is given to scholarship and research, financial and economic activity, and foreign activity.

Time and money: estimated cost of procedures

A licensing or accreditation application of average length concerning a particular specialty (field of training) requires the work of 4-5 individuals (teachers and support staff) for a period of 2-3 months, taking up approximately half their work time. In addition, 20-30 individuals will be involved in preparing particular elements of the application (for example, library data, computerization of the educational institution, staff documentation, particular academic and methodological materials), each working an average of 3-4 days. This may be

assessed as an approximate total of 10 man-months, which, given an average wage in Ukraine of approximately 1,000 *hryvni* (UAH), including deductions for social insurance and other purposes, yields an expenditure of 16,500 UAH for labor alone. Taking account of direct material expenditures (paper, communications, amortization of office equipment and the like), as well as business trips to Kyiv, total expenditure on one application may be as much as 20,000-25,000 UAH (\$4,000-5,000).

If a particular level of accreditation is sought for a higher educational institution, the total cost may be 3-4 times as much.

Expenditures on the licensing procedure consist of expenses involved in managing the licensing (accreditation) application, as well as financing of the work of the expert commission.

The standard application procedure (without delays or unexpected obstacles) requires the work of 2-3 individuals for 2 months, taking up approximately one-quarter of their work time. The work of the expert commission in the higher educational institution requires the assistance of at least 5-10 individuals for 2 working days. This may be assessed as a total of 2 man-months (directors of the educational institution and its subunits). Given an average wage of 2,500 UAH, including deductions for social insurance and other purposes, this yields a total of 8,250 UAH.

Spending on experts includes compensation for their work time and travel, consisting of the following:

1) hourly compensation for a period of 48 hours (licensing) and up to 80 hrs. (accreditation) at a rate (as of March 2007) of 37.4 UAH, totaling 2,450-4,000 UAH (including deductions for social insurance);

2) on average, two members of an expert commission arrive from other cities, with approximate expenses as follows:

train fare – up to 500 UAH (standard fare);

per diem – 150-250 UAH

hotel expenses (average 150 UAH per person/day) – 900-1,500 UAH

Total: 1,650-2,250 UAH.

Total expenses for the work of an expert commission come to 4,000-6,250 UAH or an average of 5,000 UAH.

Consequently, average total expenses on licensing (accreditation) procedure come to 13,250 UAH or more than \$2,600.