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Position Papers in Tertiary Education in Armenia

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Paper #1: Ensuring Good Governance in Tertiary Education in Armenia

The desire to reform the structures governing tertiary education has been pronounced by the national policy makers in power and is acknowledged and supported by the wider academic and civil society communities. The comprehensive revision of the legislative and regulatory arrangements in the tertiary education sector in Armenia is, therefore, seen as a priority by the national policy makers. The Institute of Public Policy underscores the importance of necessary developments in the tertiary education sector in Armenia and in advance to the in-progress legislative amendments presents a series of papers overviewing key areas in the tertiary education field. The papers aim to address the core issues for each of the sectors under scrutiny and posit essential principles that, in the organization's view, should inform and guide the transformations in the tertiary education sector.

The first paper in the series focuses on **governance in tertiary education**[1]. It starts with the overview of the governance in higher education as a concept and a framework, followed by highlighting key issues relative to the governance in Armenia. Three key principles necessary to build good governance framework conclude this paper.

A. What is governance. Why setting good governance mechanisms in tertiary education is important.

Universities are extremely complex organisations given the breadth and depth of their missions, roles, functions and professional expertise. The question of how universities should be governed and by whom is a recurring theme in higher education given their complexity and importance. Properly designed and exercised, governance structures should help the universities accomplish their missions and also provide roadmaps for how they position themselves and relate to the external communities, but also strengthen the university mission as an accountability reference point. Therefore, governance should ensure that higher education systems are able to address the questions that society places to them and that they do so efficiently, effectively, but also equitably and openly.

Definitions about what governance is range from simplistic, such as 'the legal appropriation of decision making powers' to more complex ones such as 'ways and processes of organizing institutions internally and their relationships with external structures in pursuit of the objectives of higher education'. The most comprehensive definition adopted in this paper is by Marginson and Considine (2000) which runs as:

> *'Governance is concerned with the determination of values inside universities, their systems of decision-making and resource allocation, their mission and purposes, the patterns of authority and hierarchy, and the relationship of universities as institutions to the different academic worlds within and the worlds of government, business and community'.*

Through this definition both internal and external dimensions of universities are captured and their relational connections to the broader community are brought forward.

[1]The paper primarily includes tertiary education as a more inclusive approach to postsecondary level leading to higher learning ISCED levels 5-8 http://uis.unesco.org/sites/default/files/documents/international-standard-classification-of-education-isced-2011-en.pdf .

B. Priority issues for the governance reform of Armenian universities

The challenges facing the Armenian tertiary education at the moment can be framed into the following main issues that need to be placed in the locus of reforms of current governance policies and practices.

a) The current governance model mixes market-oriented and authoritarian elements which convey contradictory message for the system-level reforms.

The governance-related reforms introduced and practiced in Armenia both in the current and in-progress draft legislative changes may seem to send the policy message that the tertiary education system is shifting onto the market-oriented paradigm. However, while pronouncing the autonomy and institutional freedom as the main framework for the universities, the state's interest in the control over the internal and external university governance structures remains quite strong. For example, the university governance bodies are charged with the responsibility with designing strategic development plans, annual budget, study plans, teaching matters and staff policies plans. Still, these require ministerial approval and the universities also remain bound to ministerial guidelines regarding admissions, educational standards and qualifications for the public and private universities. For public universities, the Ministry also approves their internal quality assurance arrangements and can audit their financial operations (Dobbins & Khachatryan, 2014; Kataoka, 2013a; Milovanovitch, Ceneric, & Avetisyan, 2015). The same holds true regarding the election and approval of rectors and university governance members, who must be approved by the Ministry of Education (Government of Armenia, 2004). The reform in changing the legal status of the universities into foundations aimed to increase the freedom to engage in commercial activities without the ministry approval, however, still allows the ministry to audit universities on demand (OECD, 2018).

At the same time, similar to the market-driven model, the state, through its strategic documents defining the vision of higher education, pronounces that for the successful governance and management of the higher education system it needs to encourage the elements of competition, entrepreneurship and performativity among universities, promote inclusion of private providers (Ministry of Education and Science, 2018). Against little financial support from the state (up to 21 percent on average) in the form of input-based grants, the universities are still limited in their budgetary and institutional autonomy and remain largely at the discretion of the state for the approval of their operations.

Models of University Governance

State-centered: universities are strictly supervised and little autonomy is given to the universities. The state directly coordinates all aspects of higher education, including admissions, curricula, examinations, administration matters. Quality assurance generally remains the responsibility of the Ministry. The state has a strong influence on the research content and resource allocation. The ties between universities and the state are strong, with strong hierarchical structures (where the faculty and other members are appointed, rather than elected). The state provides input-based funding (where the funding is linked to indicators, such as student numbers) and universities have little freedom to use funds at their discretion (France, Sweden, Russia, Turkey).

Market-oriented: in this model, the universities are expected to function as economic enterprises to increase the quality and variety of the services they provide. The state does not design the system, but rather promotes competition and entrepreneurial activities of the universities, which in turn are given high institutional autonomy. Little financial support from the state increases the budgetary freedom of the university management. Academic and external stakeholders are heavily involvement in the decision making matters of the university management. In terms of the quality assurance, the state commonly has an evaluator status (the US, Australia).

Academic self-governance: this model is based on the strong university-state partnership, where the decision making is a shared endeavor between the academic and governmental policy actors. The state is instrumental in the legislative and financial matters, but has little or no influence over the academic matters, such as teaching and research. A powerful body is the collegiate system, where the professoriate can block initiatives of the government or university management. Quality assurance systems can be weak and instead the academic peer review system is used (Germany, Austria, the UK)

(Davidovitch & Iram, 2015; Dobbins & Khachatryan, 2014).

According to this overview, strong elements of the state-centered model are present in the Armenian tertiary education. The overview of the policy indicators for the years 1991-2017 in Annex 2 shows that Armenia still strongly adheres to its state-centered traditions. Despite some dynamics on the state's part to loosen its interventions, it still maintains the 'final approval' domain for most of the areas in the university operations.

b) Political interference in the system- and institutional level of university governance hinders genuine development and innovation of universities in Armenia

There is a plethora of evidence identified by researchers regarding the excessive political influence as the main stagnation point for the good governance of the Armenian higher education institutions (Kataoka, 2013b; Matei, Iwinska, & Geven, 2013; Milovanovitch et al., 2015; OECD, 2018; Smith & Hamilton, 2015). While establishing correlation between a good governing board and the overall performance of the universities is not quite obvious and straightforward, these authors underline that the chances for the high performance of universities in Armenia are compromised by the politicization of the members of the governing boards and their inefficiency in practice to subordinate the institutions to the political interests of their representative members.

With specific emphasis on the review of the integrity in the tertiary education sector Milovanovitch et al. (2015, p. 134) point at various forms of exercising undue political influence in the governance practices at system and institutional levels, such as:

- Political and governmental interference in making of staff policies and staff related decisions including hiring and firing through the use of politically captured governing boards;
- Political influence exerted by the government over hiring and firing of the rectors through the powerful representation in the governing boards and/or other informal means;
- Engagement of high-level public officials in actions or decision-making in conflict of interest situations;
- Trade-off of quality and academic integrity in exchange for loyalty to a specific person or party;
- Illegal firing of lecturers who had a different opinion or objected to practices or decisions made on an institutional level.

While it is understood that the governing practices should be rooted in the principles of autonomy, accountability, transparency, and quality, instead the rules for the function and composition of governing boards promote political interests of their representatives. Ensuring the independence of the governing boards will allow the institutions to focus on the strategic developments void of political patronage.

C. The set internal governance mechanisms undermine the independence, relevance and efficiency of the governing bodies at universities

There may be mixed views as to the composition of the governing boards in terms of their internal and external representatives. It is usually argued that the internal members see best the vision and the context of the higher education, are better

Overview of the governance structures

Pruvot and Estermann (2018) draw on the following typology of the governance models.

1. **Unitary governance structure**- one governing body has the decision-making power at a university, while the other one has a more of a consultative role. The structure can be either a senate- or board type. Senate-type bodies are charged with academic matters, typically are larger in size, with academic-oriented membership. Board-type bodies are responsible for the strategic institutional decisions, financial allocations, are more diverse and smaller in composition. Typically involves categories of academic and administrative staff and students.
2. **Dual governance structure**- has both a board and a senate. Both these bodies share decision-making powers. Based on the distribution of these powers, two variations of dual model can be found
   a) 'traditional' model (Austria, the UK, Serbia, Slovakia, Slovenia)– where each body has distinct, but equally important responsibilities. The board will be more entrusted with strategic decisions, the selection of the rector and budget allocations. The senate will be responsible with academic matters, such as curricula, staff promotions, degrees.
   b) 'asymmetric' model (Czech Republic, Croatia, Finland, Hungary, Netherlands, Luxembourg)– where the power dynamics is such where one body has a more central role in the decision-making process. Board-type bodies usually dominate in such models.

Following the above classification, Armenia adheres to the dual traditional model. The governance is shared between the university board and the academic council, where the board decides on the strategic matters, approved annual budget and the reporting of the institution, while the academic council deals with the academic matters, such as teaching, research and the scientific work of the institution. The university board is elected for 5 years, represented equally by a quarter of seats by the academic staff, students, representatives of the founder (i.e. the government), and the appointees by the Ministry of Education. The rector has executive power.

aware of the particularities of their institutions are better committed to them. While, on the other hand, external members can be seen as adding value to these bodies (specifically in the areas of finance and law).

As presently constituted, the governing bodies in the Armenian public universities do not represent the community of higher education at large and of their institutions in terms of age, gender, occupational background and cultural capital. If they are to play a key role in their universities in the future, they need to become more representative of both their civic, academic and external professional stakeholders.

According to the Law on Higher Education (2004), the composition of the governing board is equally represented by a quarter of seats held by the academic staff, students, representatives of the founder (i.e. the government), and the appointees by the Ministry of Education(Government of Armenia, 2004). The issue of the overly political membership to the university boards has already been discussed in section (b) above. The Draft Law on Higher Education (Government of Armenia, 2017) may convey an impression to deal with the over-representative political board, as it sets a principle of composition of the governance board with 30 percent of representatives of academic staff, external members/corporate members ('employers', as stated in the wording of the document), appointees by the founder/the Ministry and only 10 percent of students. The draft document, however, specifies that the members cannot hold political offices. Yet, this membership structure is questionable for a number of reasons.

Firstly, the integrity of the governance is still undermined by the window of opportunity that enables the state to be represented via at least 30 percent of the seats (although it can also be included in the other 30 percent of the 'employer' category).

Secondly, the extremely lowered number of student representatives (from 25% to 10%) is worrisome as the principle of shared governance and university democratization gets skewed in such scenario.

Thirdly, the current membership composition is inappropriate in meeting the defined roles and responsibilities of the governing body. There is a lack of clarity for the skills and experiences of the board members, their refined roles and responsibilities and understanding of the higher education context. These challenging issues, along with the less obvious reasons, such as lack of motivation, willingness and time of the board members to deal with

The Optimal Size of the Governing Boards?

There are varied views on the optimal size of a governing body. Internationally, there is a move towards reducing the size of the university governing bodies, considering the 'dead-weight' membership on these boards.

Whatever the approach, the key issue should not be driven by the 'size' factor, but rather the practices in which these bodies are run to deliver effective results.

The optimal composition of the governing board?

There is no clear consensus, or a fixed view on who should be on the governing board. The functions and objectives of the universities should be at the forefront in any decision for the composition of the governing board. Guided by this principle, the governing boards should be composed of individuals who understand the context and dynamics of higher education and whose experiences and competencies are in line with the governing boards.

This suggests that the elements in these governance arrangements should be better determined locally with due consideration of the history and future direction of the universities.

External Members in the Governing Boards

There may be four possible mechanisms for their appointment:

- Universities are free to appoint the external members to the governing body (Denmark, Finland, UK)
- Universities propose external members, which are appointed by an external authority (Norway)
- Universities can appoint part of the members, while others are appointed by an external authority (Austria, Belgium, France)
- An external authority appoints external members (Estonia, Hungary, Russia) (Pruvot & Estermann, 2018)

broader issues related to the vision, mission and the future of the universities may lead to the ineffectiveness of the board function, let alone lack of integrity and trust in it.

The reconsideration of the above issues is instrumental for the reform in the governance practices and policies in Armenia. Viewed either externally or internally, existing governance practices and the legislative framework in which they function favour government control over the management of the academic staff, jeopardize self-governance and autonomy of the institutions and their integrity. The principles set forth below call for the need in the reform in ensuring good governance of universities in Armenia.

D. Key principles in ensuring good governance of Armenian universities

The reform and strategy of governance arrangements in the Armenia's tertiary education is proposed to be driven by the following key principles.

Principle 1: There should be a clear governance model with clearly defined and distinctive roles and responsibilities and relationships of the main stakeholders in higher education: the state, academia and the market and the broader community.

In the vision set by the government, the main responsibility of the state should be to set the regulations and incentives that enable autonomy and accountability for the higher education institutions. This will include setting a clear and shared by all vision for the higher education and its future, establishing favorable legal framework for the higher education institutions in the field, both public and private, establishing a well-functioning quality assurance system, allocating public funding to institutions and students on a clear and transparent and equitable basis.

Through these mechanisms, the shift to *state-supervised*, rather than *state-controlled* model (Vught, 1993) should be initiated and implemented, where the role of the government will be restricted to monitoring and regulating instead of a close control. In the provisions that are to be made for the improved governance, it is crucial that the state refrains from seeing universities as state-subordinate bodies. Instead, the state supervising model will better acknowledge the fundamental characteristics of higher education and will be able to stimulate innovative behavior in the system.

Principle 2: The core components of higher education should be autonomy and accountability of institutions.

The autonomy of the tertiary education institutions, declared on paper, should be made imperative and genuine in practice. It is well documented that systems that promote high autonomy are also better placed to produce positive results (e.g. see Fiszbein & Ringold, 2010). At the very minimum, the autonomy of the institutions can be promoted by removing the undue political influence on the governance and management matters of the institutions. Following Milovanovitch et al. (2015), this will mean measures, such as limiting the number of governmental representatives in governing structures of institutions and reducing the scope of powers exercised by the Minister of Education and Science vis à vis higher education leadership. At the maximum, the state should stimulate a context and culture for the autonomy of institutions. This will include the presence of an independent governance and academic bodies, the appointment of merit-based leadership, the ability to set academic, financial, staff policies.

At the same time, the universities must be able to assume ethical and managerial obligations and be accountable for their activities and results, overall performance and the use of the public resources. According to Salmi (in Fiszbein & Ringold, 2010), the universities must adhere to the two basic dimensions of accountability, such as the integrity and quality in the education provision and honesty in the use of financial

resources. In practice, this will require strengthening the integrity of the internal quality assurance mechanisms, regular reporting on academic results and relevance of the programs, existence of instruments to prevent and punish corruption. These values are to be preserved not merely in the interests of the institutions themselves, but, in the longer term, of the state and all its citizens.

Principle 3: The composition of governing bodies (size, representation, etc), their reserved functions, the role and powers of academic council should be reformed to encourage participation of all stakeholders.

A strong and relevant governing body will ensure the effective stewardship of the universities and secure their long-term sustainability. A well-established and relevant board will be able to protect and support enhancement of the academic culture and community of the institution, secure effective use of public and other funds. Therefore, appointments of members to the governing bodies, both internal and external, including the post of the chairperson, should be made by election, or by means of a competitive process (e.g. a public advertisement process). A fundamental principle for the appointment and involvement of both internal and external members should be on the basis of their experience, competencies, understanding of the higher education context, as well as based on the peculiarities of the institution.

The practices and principles of open government should become applied to the university governance as well. University board meetings should be open to the press and public, at the large. At the least, the agendas, reports, minutes should be made publicly available and transparent documents. This will increase the relevance and efficiency of the university boards. At the largest, an evaluation mechanism can be established for the performance of the governing boards. Independent persons with a contextual understanding of higher education can be undertaking such reviews and making them publicly available.

One possible approach to the composition and function of the governing boards in Armenia might be based on the following dimensions:

- The balance of the governing members should be brought towards inclusive and transparent participation of both internal and external members. The number of seats as proposed in the Draft Law 2017 should, therefore, be further revised towards equal participation of all stakeholders. The government's inclusion should be minimal (up to 10%).
- External members should be invited to apply for a seat following a public advertisement process.
- An external body can be set up, such as a national committee, that will be in charge of selection of the nominees based on their experience and competencies. This committee can also be set to evaluate the function of the governing bodies.

A sample checklist for the evaluation of the governing bodies

- ✓ Is there clarity and agreement on the role and responsibilities of the governing body, and do governing body members sufficiently understand the context for the HEI's role, mission, and strategy?
- ✓ Are there appropriate governing body procedures or reporting mechanisms to monitor the functioning or otherwise of the HEI's academic processes?
- ✓ Are the principles of conduct of public life (e.g. integrity, openness, transparency) being observed in the governing body's internal and external dealings?
- ✓ Are there appropriate capabilities, competencies and systems within the governing body and its method of operation to enable it to discharge its responsibilities?

(RIA, 2012)

E. Annexes

Annex 1: Composition of the University Governing Bodies in the Armenian universities

The tables below are for indicative purposes only. They do not claim fully valid compilation of data due to unavailability of the comprehensive information on the part of the institutions. The data were extracted from the websites of the universities as of October 2018.

Table 1. Composition of the university board bodies in the Armenian universities. A scorecard (adapted from (Pruvot & Estermann, 2018)

University	Composition of board bodies					
	Total number	Academic staff	Non-academic staff/ Administrative	Students	External members/ Profile of external members	Chair
Yerevan State University	32 (8 Females, of which 4 are students)	11	-	8	4 business 9 political figures (such as vice ministers, heads of administration, heads of ministerial departments, etc)	Serge Sargsyan (Former RA President)
Yerevan State Medical University	32 (7 F, out of which 4 are students)	8	-	8	10 political 5 heads of medical institutions	Armen Ashotyan (Republican Party Vice-President)
	32 The new composition of the board as of 2018 Prime Minister Decree	8	-	8	10 political figures 6 heads of medical institutions	TBS
Yerevan State University of Languages and Social Sciences	24 (14 F, out of which 6 are students)	6		6	9 political 2 business, head of school	Avetis Berberyan (RA President Assistant)
Yerevan State Engineering University	32 (F/M Not available)	8	-	7	10 political 6 business	Samvel Nikoyan, Parlamentarian
Yerevan State University of Architecture	32 (F/M Not available)	8	-	8	10 political 5 business/ architecture	Taron Margaryan (ex-mayor of Yerevan)
Armenian State University of Economics	32	8	-	8	10 political 5 business	Vache Gabrielyan (Former RA Vice-minister)

Table 2. Composition of the academic boards in the Armenian universities. A scorecard (adapted from (Pruvot & Estermann, 2018)

University	Composition of the Academic Council						
	Total	Academic staff	Non-academic staff/Administrative	Students	External members	Total number of students	Total number of faculty members 2016-2017
Yerevan State University	88	58	8	22	-	11249	1421
Yerevan State Medical University	55	30	6	19	-	8000	1100
Yerevan State University of Languages and Social Sciences	52	36	3	13		3253	267
Yerevan State Engineering University	108	75	4	29		7231	522
National University of Architecture and Construction	62	39	8	15		3269	
Armenian State University of Economics	58	41	3	14			

Annex 2: Reform Dynamics for the Main Policy Indicators in Armenia

Table 3: Reform Dynamics in Armenian HE Policy 1991-2017 (Taken from Dobbins & Khachatryan, 2014, p. 199. Data for 2017 added by the author)

	1991	**2001**	**2011**	**2017 draft**
Regulatory framework				
Core decision unit	State	State	State/university management	State/university management
State control instruments	Manpower planning system design	Manpower planning system design	Licensing, accreditation, partial funding	Licensing, accreditation, partial funding
Sets academic policies/curriculum design	Ministry	Ministry/university management	University management/approval by Ministry	University management/approval by Ministry
Sets strategic goals for universities	Ministry	Ministry/university management	University management/approval by Ministry	University management
Sets admission conditions	Ministry	Ministry	Ministry for BA programs/university management for MA and PhD Programs	Ministry for BA programs/university management for MA and PhD Programs
Funding				
Main funding base	State budget (university budgets part of state budget)	State budget/tuition fees/IO grants	State budget/tuition fees/IO grants/ donations/state research funds	State budget/tuition fees/IO grants/ donations/state research funds
State funding approach	Itemized (limited financial	Itemized (limited financial autonomy for	Itemized (limited financial autonomy for	

	autonomy for universities)	universities)	universities)	
Mode of allocation	Input-based (some output-based funds within universities)	Input-based (some output-based funds within universities)	Input-based (some output-based funds within universities)	Input-based (some output-based funds within universities)
Strategic investments	State-funded	State –funded	Ministry/university management	Ministry/university management
Patterns of quality control				
Who controls/evaluates	Ministry	Ministry	QA agency closely linked to Ministry	QA agency closely linked to Ministry
When does quality control take place	Ex-ante	Ex-ante	Ex-ante	Ex-ante

Annex 3: Key Documents for Further Consideration

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