

Strengthen Integrity and
Combat Corruption
in Higher Education

BASELINE ASSESSMENT OF INTEGRITY IN HIGHER EDUCATION IN SERBIA

Fighting corruption,
economic crime and organised crime

<http://horizontal-facility-eu.coe.int>

Horizontal Facility for Western Balkans and Turkey

Funded
by the European Union
and the Council of Europe



EUROPEAN UNION

COUNCIL OF EUROPE



CONSEIL DE L'EUROPE

Implemented
by the Council of Europe

All rights reserved.
No part of this publication may be translated,
reproduced or transmitted, in any form or
by any means, electronic (CD-Rom, Internet, etc.)
or mechanical, including photocopying, recording
or any information storage or retrieval system,
without the prior permission in writing
from the Directorate
of Communications (F-67075 Strasbourg
Cedex or publishing@coe.int).

This document has been produced using funds
of a joint project between the European Union and
the Council of Europe: "Strengthen Integrity
and Combat Corruption in Higher Education".
The views expressed herein can in no way be taken to
reflect the official opinion of the European Union or
the Council of Europe.

© Council of Europe, October 2017

Strengthen Integrity and Combat Corruption in Higher Education

BASELINE ASSESSMENT OF INTEGRITY IN HIGHER EDUCATION IN SERBIA

Council of Europe's experts:

Professor Ian Smith, University of the West of Scotland, and

Professor Tom Hamilton, University of Stirling

October 2017

TABLE OF CONTENTS

EXECUTIVE SUMMARY	5
1 - INTRODUCTION, INCLUDING GENERAL APPROACHES, METHODOLOGIES AND USE OF OTHER WORK.....	16
2 - NATIONAL POLICIES ON ANTI-CORRUPTION AND THE ANTI-CORRUPTION AGENCY ...	22
3 - ADMISSION TO HIGHER EDUCATION.....	27
4 - GOVERNMENT APPROACHES TO HIGHER EDUCATION (HE): NATIONAL STRATEGY, GOVERNANCE AND THE LAW.....	32
5 - STRUCTURAL (AND SOME ASSOCIATED QUALITY) ISSUES FOR HIGHER EDUCATION INSTITUTIONS (HEIs), PRINCIPALLY THE PUBLIC HEIs	50
6 - INTEGRITY ISSUES AND THE UNIVERSITIES.....	61
7 - PARTICULAR ISSUES FOR THE PRIVATE UNIVERSITIES	74
8 - THE COMMISSION FOR ACCREDITATION AND QUALITY ASSURANCE (CAQA).....	78
9 - CONCLUSIONS AND NEXT STEPS	83

EXECUTIVE SUMMARY

This Baseline Assessment of Integrity in Higher Education in Serbia is organised into nine Sections.

Section 1 - Introduction, including General Approaches, Methodologies and Use of Other Work

Section 2 - National Policies on Anti-Corruption and the Anti-Corruption Agency

Section 3 - Admission to Higher Education

Section 4 - Government Approaches to Higher Education (HE): National Strategy, Governance, and the Law

Section 5 - Structural (and some associated Quality) Issues for Higher Education Institutions (HEIs), principally the public HEIs

Section 6 - Integrity Issues and the Universities

Section 7 - Particular Issues for the Private Universities

Section 8 - The Commission for Accreditation and Quality Assurance (CAQA)

Section 9 - Conclusions and Next Steps

Section 1 sets the context for the mission undertaken in Serbia by the experts for the Council of Europe (CoE), and explains that the 'Baseline Assessment of Integrity in Higher Education in Serbia' is the first output of the joint European Union (EU)/CoE project to 'Strengthen Integrity and Combat Corruption in Higher Education in Serbia'. Section 1 outlines the general approaches taken by the experts, particularly emphasising that Council of Europe approaches connect integrity with issues of overall quality in education. This Section also outlines the methodology of the baseline assessment, including desk research on documents, and content analysis of a series of meetings with a wide range of key Serbian HE stakeholders, which began with the Ministry of Education, Science and Technological Development (MESTD). Section 1 also emphasises that the experts approach Serbian HE with full respect for its substantial historical traditions and current internationally recognised achievements.

Sections 2 to 8 then analyse seven aspects of the HE system in Serbia, with each Section containing Recommendations on specific issues to be considered to progress the integrity of the system.

Section 9 contains some very brief comments on 'Conclusions and Next Steps'.

The rest of this Executive Summary essentially comprises a repeat of the Recommendations from Sections 1 to 8 of the baseline assessment (where the Recommendations also appear in bold within the appropriate parts of the main text).

Recommendations from Section 1 (on Introduction, including General Approaches, Methodologies and Use of Other Work)

Recommendation 1(a):

In developing dialogue with Serbian HE stakeholders, the joint EU/CoE Project to 'Strengthen Integrity and Combat Corruption in Higher Education in Serbia' should show full respect for the substantial historical traditions and current internationally recognised achievements of the Serbian HE system, including the University of Belgrade specifically.

On the other hand, the Project should ensure such dialogue also focuses openly and directly on areas requiring further development in the current system, including evaluating the extent to which issues raised by the 2012 OECD report 'Strengthening Integrity and Fighting Corruption in Education - Serbia' have subsequently been addressed.

Recommendation 1(b):

The current joint EU/CoE Project should maintain liaison with the Tempus Foundation HERE Team, the Erasmus+ Project 'Development and Implementation of System for Performance Evaluation for Serbian HEIs and System' (PESHES) and any other relevant Tempus/Erasmus+ projects and activities involving Serbian HE

Recommendations from Section 2 (on National Policies on Anti-Corruption and the Anti-Corruption Agency)

Recommendation 2(a):

The relevant Serbian authorities (the Government of Serbia and the National Assembly) should support the Anti-Corruption Agency in its further development by giving full consideration to incorporating requests made by the Agency into the new Law on Higher Education.

Recommendation 2(b):

The relevant Serbian authorities (the Government of Serbia, MESTD, and the National Assembly) should ensure the private Universities in Serbia are subject to the same legal requirements for integrity plans as the public Universities, thus emphasising the wider public interest in the integrity of all Higher Education, both public and private.

Recommendation 2(c):

The relevant Serbian authorities (the Government of Serbia and the National Assembly) should extend the legal definition of public officials in HE from Rectors and Deans to all public University academic staff, with the same extension in public Academies and Colleges of Applied Studies, but applying this in a way which respects appropriate autonomy for public HEIs.

Recommendation 2(d):

The Anti-Corruption Agency should issue revised advice on the construction of integrity plans by HEIs, requiring appropriate measures to ensure the involvement of all academic staff in the process, and also student involvement.

Recommendation 2(e):

The relevant Serbian authorities (MESTD, the Anti-Corruption Agency, senior leadership of HEIs) should make successful completion of the e-learning anti-corruption programme a mandatory requirement for all HEI academic staff.

Recommendations from Section 3 (on Admission to Higher Education)**Recommendation 3(a):**

The relevant Serbian authorities (the Government of Serbia, MESTD, and senior staff at the Universities) should commit to replacing as soon as possible the current use of varied specific entrance examinations and procedures operated by individual Faculties and Universities with a standardised national approach based on the use of a newly-developed and robust national Matura school-leaving examination. However, exceptions should be made for certain practical assessments required for admission to programmes in the creative arts and sports.

Recommendation 3(b):

These same Serbian authorities should ensure that this new standardised approach is not accompanied by private tutoring arrangements which replicate the current advantages obtained by better-off applicants through paying for 'preparation courses' for University entrance examinations.

Recommendation 3(c):

More widely, these same Serbian authorities should commit fully to a range of policies designed to achieve maximum social equity and wider access in HE admissions, particularly to Universities.

These policies should include: reviewing social equity in access into gymnasias and vocational high schools respectively, with consequent implications for entering Universities as compared to non-University HEIs; reducing the subsequent financial burdens on less-well-off HE students by eliminating non-transparent additional fees, and implementing an appropriate state-subsidised loans system to help meet overall living expenses; ensuring specific affirmative measures to achieve admission of Roma students are implemented honestly and transparently.

Recommendations from Section 4 (on Government Approaches to Higher Education [HE]: National Strategy, Governance and the Law)**Recommendation 4:**

The relevant Serbian authorities (the Government of Serbia and MESTD specifically) should continue to work towards completing the 'Actions' relevant to Higher Education within the 'Action Plan for Implementation of the Strategy for Development of

Education in the Republic of Serbia by the Year 2020', and sustain the rigorous evaluation of progress on achieving the associated 'Outcomes'.

Recommendation 5(a):

The relevant Serbian authorities (the Government of Serbia, MESTD, the National Council for Higher Education, the Conference of Universities of Serbia, and senior staff at Universities) should engage in discussions, with a view to reducing (but not completing eliminating) the current autonomy of Faculties within Universities and thus strengthening the capacity of central senior University management to achieve more coherent and consistent University-wide approaches.

Recommendation 5(b):

On the other hand, these same Serbian authorities should ensure that any development of a strengthened central senior University management is based on a collegial and participatory approach to leadership and management, avoiding the more 'negative' risks of an excessively 'managerialist' and 'target-setting' approach.

Recommendation 5(c):

The relevant Serbian authorities (specifically the Government of Serbia and MESTD, but in full collaboration with the National Council for Higher Education, the Conference of Universities of Serbia, and senior staff at Universities) should ensure that any new Law on Higher Education is completely clear in stating the position of Faculties relative to Universities which emerges from the discussion mentioned in Recommendation 5(a) above.

Recommendation 6(a):

The Government of Serbia should ensure that it guarantees the maximum independence from Government of the National Council for Higher Education. In particular, the relevant Serbian authorities (the Government of Serbia and the National Assembly) should ensure that any new Law on Higher Education moves forward from the current Law by increasing the membership level on the National Council for Higher Education of those proposed by the Conference of Universities, and removing completely the 'proposed by Government' category.

Recommendation 6(b):

These same Serbian authorities should review the financing of the National Council for Higher Education, particularly the issue of 'remuneration payments' to National Council members, to ensure that the independence of the National Council from Government is not compromised. The outcome of this review should be incorporated in any new Law on Higher Education.

Recommendation 6(c):

These same Serbian authorities should also review the role of Government in the dismissal of members of the National Council to ensure that the independence of the National Council from Government is not compromised. The outcome of this review should be incorporated in any new Law on Higher Education.

Recommendation 7(a):

The relevant Serbian authorities (the Government of Serbia, MESTD, the National Assembly, the National Council for Higher Education, the Conference of Universities, and senior University leaders) should retain the general principle of 'proportional representation' in the Conference of Universities, but should review the details of this, with a view to reducing the 'over-dominance' of the University of Belgrade and increasing the relative influence of the other Universities.

This review should also identify ways to ensure a more equitable 'rotation' of the chairing of the Conference among institutions, so that chairing does not effectively become a 'monopoly' of the University of Belgrade.

The outcome of this review should be incorporated in any new Law on Higher Education, but by setting a framework for change which recognises appropriate autonomy for the Conference of Universities to make final decisions on its own procedures.

Recommendation 7(b):

These same Serbian authorities should also develop a new system of funding for the activities of the Conference of Universities and the Conference of Academies and Colleges of Applied Studies, replacing funding from the national Government with funding from subscriptions paid by member institutions in proportion to their size. This new system should be incorporated in any new Law on Higher Education.

Recommendation 7(c):

These same Serbian authorities should encourage the development of a closer and fuller relationship between the Conference of Universities and the Conference of Academies and Colleges of Applied Studies.

Recommendation 7(d):

The Conference of Universities should further clarify the respective roles of the Rectors' Council and the full Assembly, particularly to ensure that maximum effective use is made of the full Assembly, in a way which adds value to the work of the Rectors' Council.

Recommendation 8:

The Government of Serbia should continue to support and develop the legislative, representative and supervisory roles of the Committee on Education, Science, Technological Development and Information Society of the National Assembly of the Republic of Serbia, as important means of ensuring democratic input and scrutiny of policy initiatives for HE.

Recommendation 9(a):

The senior leadership of public HEIs should ensure the Students' Parliaments are adequately supported (both in terms of moral and practical support) to allow them to complete their important role in HEI governance and quality assurance systems.

Recommendation 9(b):

The Government of Serbia and MESTD should explore with the relevant bodies (the National Council for Higher Education, the Conference of Universities of Serbia and the Conference of Academies and Colleges of Applied Studies) how a system of sabbaticals for senior student representatives can be introduced and funded.

Recommendation 9(c):

The senior leadership and all relevant staff of each HEI should ensure that the mandatory ethical programme for new undergraduates explains the role of student representation, and stresses the supportive HEI ethos necessary if such representation is to work best.

Recommendation 10(a):

The Government of Serbia and the National Assembly should ensure that a new Law on Higher Education, incorporating the various inclusions suggested in other Recommendations within this Baseline Assessment, is passed as soon as possible.

Recommendation 10(b):

The relevant Serbian authorities (the Government of Serbia, MESTD, the National Assembly, the National Council for Higher Education, the Conference of Universities, and senior University leaders), together with the wider Serbian HE community, should engage in a national dialogue to develop and establish a governance framework for HE which avoids the need for excessive reliance on a single 'mechanistic' and narrowing national Law as the instrument for achieving progressive change and development.

Recommendations from Section 5 (on Structural (and some associated Quality) Issues for Higher Education Institutions (HEIs), principally the public HEIs)**Recommendation 11:**

The relevant Serbian authorities (the Government of Serbia, MESTD, the National Council for Higher Education, the Conference of Universities of Serbia, senior leadership at the University of Belgrade and other public Universities) should continue previously begun discussions, in a full and open manner, on whether the University of Belgrade is too large, including relative to the overall size of the Serbian University system.

This discussion should include consideration of whether the current size of the University of Belgrade leads to an excessive concentration of academic talent (both staff and students) in one University, threatening the ability of other public Universities to attract the most talented staff and students.

This discussion should also include consideration of whether it may be easier to achieve a better balance between coherent and consistent central University leadership and management and the Faculties in the University of Belgrade, if the overall size of the University is reduced.

This discussion should certainly include consideration of international comparisons, but these international comparisons should be as comprehensive as possible, giving full recognition to the complexities involved.

Recommendation 12(a):

The relevant Serbian authorities (the Government of Serbia, MESTD, the National Council for Higher Education, the Conference of Academies and Colleges of Applied Studies, the senior leadership of the Academies and Colleges of Applied Studies) should engage in a full and open discussion on the genuine viability of having so many ‘non-University’ HEIs (i.e., Academies and Colleges of Applied Studies).

This discussion should include considering whether the national HE system has the capacity to provide sufficient qualified staff for so many ‘non-University’ HEIs, particularly to provide a research base to underpin research-based/research-informed teaching up to, and including, second cycle Masters.

This discussion should also include asking whether these individual institutions have enough students to provide a full HE experience for their students.

Recommendation 12(b):

The relevant Serbian authorities (the Government of Serbia, MESTD, the National Assembly, the National Council for Higher Education, the Conference of Academies and Colleges of Applied Studies, the senior leadership of the Academies and Colleges of Applied Studies) should consider carefully what position will be taken in the new Law on Higher Education on the issue of requiring doctorates for academic staff in ‘non-University’ HEIs such as Academies and Colleges of Applied Studies.

Consideration will need to be given to the balance between setting the highest standards for staffing criteria, and the realities of the scale of the academic talent pool available in a country of Serbia’s size.

Recommendation 12(c):

These same Serbian authorities should engage in a wide and open discussion to expand fully on what underlying definition of ‘applied studies’ is being used, in contrast with ‘academic studies’, to explain the nature and purpose of Academies and Colleges of ‘Applied Studies’.

This full underlying definition should then be incorporated in appropriate Articles within the new Law on Higher Education.

Recommendation 12(d):

These same Serbian authorities should also engage in a wide and open discussion to clarify exactly what the difference is between an ‘Academy’ of Applied Studies and a ‘College’ of Applied Studies. This discussion should include indicating clearly and fully whether there will be differences in specific obligations on research between Academies and Colleges. The discussion should also address whether the distinction between Academies and Colleges is actually necessary and helpful.

The outcomes of this discussion should then be incorporated in appropriate Articles within the new Law on Higher Education.

Recommendation 13:

The relevant Serbian Authorities (the Government of Serbia, MESTD, the National Council for Higher Education, the Conference of Universities of Serbia, the Conference of Academies and Colleges of Applied Studies, the senior leadership of the Universities and the Academies and Colleges of Applied Studies) should strengthen the relationship between the non-University HEIs (the Academies and Colleges of Applied Studies) and the Universities, particularly to avoid any sense that the non-University HEIs are somewhat marginalised within the HE system, rather 'forgotten' and seen as 'second-class'.

Recommendation 14(a):

The relevant Serbian authorities (the Government of Serbia, MESTD, the National Council for Higher Education, the Conference of Universities of Serbia, and the senior leadership of the Universities) should engage in discussion to ensure that the Serbian system's tradition and current practice of full integration of research into the Universities is progressed in a way which ensures that all academic staff have appropriate opportunities to develop research activity to underpin their teaching, so that students receive high quality research-based/research-informed teaching and learning experiences in all their courses.

Recommendation 14(b):

Moving beyond the Universities, the relevant Serbian authorities (the Government of Serbia, MESTD, the National Council for Higher Education, the Conference of Academies and Colleges of Applied Studies, the senior leadership of the Academies and Colleges of Applied Studies) should engage in specific discussion to address the particular challenges in the Academies and Colleges of Applied Studies achieving the research capacity necessary to deliver high quality research-based/research-informed teaching and learning experiences, up to and including second cycle Masters.

Recommendation 15:

The relevant Serbian authorities (the Government of Serbia, MESTD, the National Assembly, the National Council for Higher Education, the Conference of Universities of Serbia, the Conference of Academies and Colleges of Applied Studies, the senior leadership of Universities, the senior leadership of the Academies and Colleges of Applied Studies) should develop an inclusive national conversation to discuss whether there is a need to achieve more parity in quality across Serbian HEIs, including greater parity of esteem for different HEIs, and greater parity in the quality of graduates and their employment destinations. Of course, such parity should be based on raising all HEIs as close as possible to the quality of the most highly-regarded institutions.

Recommendations from Section 6 (on Integrity Issues and the Universities)**Recommendation 16(a):**

The relevant Serbian authorities (MESTD, the National Council for Higher Education, the Conference of Universities of Serbia, senior University leaders) should support the

continuing development of the existing national repository of Ph.D. theses to supplement repositories of Ph.D. theses in individual Universities.

This should include full implementation of the mandatory requirement for all Ph.D. theses to be lodged in the appropriate repositories, and available on open access.

Recommendation 16(b):

These same Serbian authorities should develop policies and strategies to increase the number of Ph.D. theses produced in English.

Recommendation 16(c):

As soon as practicable, these same authorities should apply a requirement that overseas experts are involved in the assessment of all Ph.D. theses.

Recommendation 16(d):

These same Serbian authorities should engage in an inclusive national dialogue on appropriate approaches to Ph.D. study. This dialogue should emphasise the importance of pursuing Ph.D. studies for academic motivations, based on integrity. This dialogue should also emphasise the dangers to academic integrity of an 'over-obsession' with acquiring Ph.D.s purely for perceived political or social status.

Recommendation 17(a):

While threats to the integrity of the one-to-one oral examination system in Serbian HE do not seem to be a cause of particular concern, the relevant Serbian authorities (MESTD, the National Council for Higher Education, the Conference of Universities of Serbia and the Conference of Academies and Colleges of Applied Studies, CAQA, and senior HEI leaders) should require all HEIs to reconsider their assessment methods, with a view to lessening the prevalence of this type of assessment, moving towards more modern and innovative methods.

Recommendation 17(b):

These same Serbian authorities should co-ordinate national investigation into the extent to which electronic devices are being used by students for cheating in examinations, and co-ordinate national strategy for combating such risks, including providing resources for electronic jamming equipment, and ensuring there are no legal impediments to the use of such jamming equipment.

Recommendation 17(c):

The relevant Serbian authorities (senior leadership in HEIs, MESTD, the Anti-Corruption Agency) should ensure that all parties adhere to the requirements in HEI integrity plans designed to remove threats to integrity in the relationship between academic staff and students on teaching, learning and assessment.

Recommendation 17(d):

The senior leadership in HEIs should ensure that they have in place protections for any whistleblower students, so that there is no negative comeback on a student raising legitimate concerns.

Recommendation 18(a):

The National Council for Higher Education, together with senior University leaders, should introduce an annual evaluation exercise of the use of the Codes of Integrity, having HEIs report on the number and range of issues dealt with by the Ethical Commissions. This information should be used to monitor the effectiveness of the Codes, suggest ethical areas to be addressed and to feed into future revisions of Codes.

Recommendation 18(b):

The National Council for Higher Education should ensure each University continues to develop the existing good practice for one overarching Code which applies across the whole University so as to ensure equitable treatment for all those covered by the Code. Any supplementary requirements within individual Faculties should be provided for through appendices to the full University Code.

Recommendation 18(c):

The leadership of each HEI should ensure that a separate Code of Integrity for Students is developed in each institution. Again this should be at institutional level, with any Faculty nuances given in appendices.

Recommendation 18(d):

Student organisations and student representative bodies should take the lead in developing such Codes of Integrity for Students in each institution, with full support from national organisations and HEIs, including both Universities and Faculties.

Recommendation 18(e):

The National Council for Higher Education should develop guidance on the development of a mandatory ethical programme for all students to take during their first year of study.

Recommendation 18(f):

The leadership of each HEI should ensure such a programme is introduced across all Faculties and programmes within their institution.

Recommendation 18(g):

The Commission for Accreditation and Quality Assurance (CAQA) should require as part of its accreditation and auditing processes that each HEI's mandatory ethics programme is fully evaluated annually, including through the use of student feedback on the programme's efficacy.

Recommendation 19(a):

The relevant Serbian authorities (MESTD, the National Assembly, the National Council for Higher Education, the Conference of Universities of Serbia, the Conference of Academies and Colleges of Applied Studies, senior University leaders of HEIs) should ensure that the new Draft Law on Higher Education is as clear and transparent as possible on the types of academic posts, the eligibility criteria for these posts, and the method for appointment to them. In particular, there must be full clarity and transparency on the criteria for promotion which centre on quality and quantity of publications.

Recommendation 19(b):

These same Serbian authorities must also ensure that the eligibility criteria and method of appointment for academic posts established in the Law are applied rigorously and transparently in practice. In particular, senior staff must appoint the most able applicant to posts, only on merit, and only after fully open and transparent advertising and competition.

Recommendations from Section 7 (on Particular Issues for the Private Universities)**Recommendation 20(a):**

If the relevant Serbian authorities (the Government of Serbia, MESTD, the National Council for Higher Education, the Conference of Serbian Universities) believe that private Universities have a valued part to play within the Serbian HE system, they should enter into collaborative dialogue with the private Universities to discuss the full range of concerns which the private Universities have about why they do not feel fairly treated within the system. Such dialogue should also address any concerns which other stakeholders may have about quality issues in the private Universities.

Recommendation 20(b):

Specifically, as discussed in Recommendation 7(a) above, these same Serbian authorities should retain a principle of proportional representation on the Conference of Serbian Universities, but should review the details of the system to achieve more balance between institutions. In particular, this review should address the sense of grievance from the private Universities on this issue.

Recommendations from Section 8 (on the Commission on Accreditation and Quality Assurance [CAQA])**Recommendation 21(a):**

The relevant Serbian authorities (the Government of Serbia, MESTD, the National Assembly) should create a new National Body for the Accreditation and Quality Assurance in Higher Education through the new Law on Higher Education, but must ensure the true independence of CAQA by decoupling the role of Government from any approval function of its work.

Recommendation 21(b):

While the new Law on Higher Education has removed the 'act of warning' accreditation decision, these same Serbian authorities should develop alternative ways of retaining the educative function which was provided by the 'act of warning'.

Recommendation 21(c):

These same Serbian authorities should ensure that the Complaint Commission established under the new Law on Higher Education provides genuine independence to the accreditation appeals process.

Recommendation 21(d):

The relevant Serbian authorities (the Government of Serbia, MESTD, the National Assembly, the National Council for Higher Education, the Conference of Universities of Serbia, the Conference of Academies and Colleges of Applied Studies, and senior HEI leaders) should fully support the new Law on Higher Education's funding model for CAQA, with this based on no Government funding, but rather based on payments from the Higher Education Institutions (in particular, institutional annual subscriptions should be considered, not just payments of fees for specific accreditations).

This funding model must generate sufficient funds to enable CAQA to increase its staffing complement to an appropriate level.

Recommendation 21(e):

These same Serbian authorities should ensure that the work of CAQA is entirely transparent so that all parts of the system are assured of its fairness. To that end, members should be required to declare an interest in any matters relating to their own institutions and withdraw themselves from any relevant discussion or decisions. It should also be made mandatory that those reviewers completing accreditations should be publicly named so that there is complete openness in the accreditation process.

1 - INTRODUCTION, INCLUDING GENERAL APPROACHES, METHODOLOGIES AND USE OF OTHER WORK**1.1 General Approaches**

1.1.1 This report follows a Council of Europe (CoE) mission undertaken in Serbia by the international experts, Professor Ian Smith and Professor Tom Hamilton, between 9th and 12th May 2017. This mission was the first activity of the joint European Union (EU)/Council of Europe (CoE) project to 'Strengthen Integrity and Combat Corruption in Higher Education in Serbia', and the current Baseline Assessment is the first output of the project.

Meetings with Serbian Higher Education Stakeholders

1.1.2 Meetings were held with a range of Serbian Higher Education (HE) stakeholders over two full days during the mission. This included meetings with: the Assistant Minister for Higher Education and senior officials of the Ministry of Education, Science and Technological Development (MESTD); senior staff from the Anti-Corruption Agency (ACA); senior staff from the Commission for Accreditation and Quality Assurance (CAQA); the President of the National Council for Higher Education; the Secretary General of the Conference of Universities of Serbia; the President of the Committee on Education, Science, Technological Development and Information Society of the National Assembly of the Republic of Serbia; senior staff of Public Universities, specifically the Rector of the University of Belgrade, the Rector of the University of Arts, Belgrade, the Rector of the University of Novi Pazar, and the President of the Quality Board, University of Novi Sad; senior staff of Private Universities, specifically the Rector of EDUCONS University, the Rector of Metropolitan University, the Rector of Singidunum University, and the Deputy Rector of John Naisbitt University; student representatives from the Students' Conference of Universities of Serbia, and the Students' Parliament of the University of Belgrade; the Director of the TEMPUS Foundation; the Director of the NGO Centre for Education Policy (CEP).

The Council of Europe's Approach to Ethics, Transparency and Integrity in Education

1.1.3 In considering integrity issues within the current baseline assessment, the Council of Europe's experts will generally follow the approach adopted in other work for the Council. This approach argues that, especially for the long-term, the strengthening of integrity in education (including HE) must be based upon a full commitment to fundamental positive ethical principles and ethical behaviours in professional and public life. Essentially, integrity is then seen as the connection between positive ethical principles and quality in education.

This emphasis on the importance of the overall quality of education means the approach taken is wider than simply a narrow consideration of a deficit 'corruption' agenda and an associated set of top-down, mechanistic 'anti-corruption' measures. Of course, such measures will also have their place, especially in the short to medium term, within the development of the current joint EU/CoE project.

However, it follows from this wider approach that the experts will suggest dialogue with the Serbian authorities and other senior Serbian stakeholders not only on the narrower aspects of an anti-corruption agenda, but also on some wider quality issues seen as relevant to setting the framework for the longer-term strengthening of integrity in Serbian HE.

The general approaches taken by the experts are expanded on in other work for the Council of Europe, for example in the documents 'Ethical Principles for Education' and

'The Ethical Behaviour of All Actors in Education', available as part of the development of the Council's Pan-European Platform on Ethics, Transparency and Integrity in Education (ETINED) (Council of Europe 2016a,b in References).

Respect for Serbian Society and the Traditions and Achievements of the Serbian Higher Education System

1.1.4 In approaching a major aspect of Serbian society, such as the HE system, the experts also wish to emphasise their full respect for Serbian society as it faces the challenges of moving forward from the difficulties of its history, especially those associated with the conflicts of the 1990s and their consequences. The experts wish their evaluations of Serbian positions to be viewed in the context of this overall respect.

More specifically, the experts wish to emphasise their recognition of the substantial historical traditions of the Serbian HE system, particularly (but not exclusively) the University of Belgrade. Since the establishment of its full University status in 1905, the University of Belgrade has been a key institution in progressing and symbolising Serbian national culture, including when this linked to the wider state contexts of Yugoslavia for most of the 20th Century. As a number of individuals expressed this during meetings with the experts, other Serbian public universities very much see the University of Belgrade as their 'alma mater'.

In meetings, representatives of the University of Belgrade and the wider Serbian HE community also emphasised their pride in the emerging position of the University of Belgrade specifically, and the Serbian University system more generally, within international university ranking tables. For example, the University is ranked within the top 200-300 world universities in the Shanghai Academic Ranking of World Universities, 2016, and within the top 800-1,000 in the Times Higher Education World University rankings 2016-17. More generally, a Universitas 21 ranking of overall national university systems ranked Serbia 1st for 2017, when performance is adjusted for countries' level of economic development (in absolute terms Serbia is ranked 39th within the overall top 50 ranking). More generally, the Times Higher Education had already identified Serbia as one of the TACTICS group of countries which 'could grow into star players in global higher education' (the others being Thailand, Argentina, Chile, Turkey, Iran and Columbia) (see Times Higher Education, 24th November 2016).

Of course, caution must be exercised in interpreting such rankings, and there is a risk in attributing too much significance to them. The general evidence-base for such rankings can always be questioned, and the position of an individual institution or overall national system can always 'slip' quite quickly. However, recent rankings' evidence emphasises the importance of respecting the traditions and achievements of Serbian HE.

1.1.5 The baseline assessment is organised into Sections.

Section 1 - Introduction, including General Approaches, Methodologies and Use of Other Work

Section 2 - National Policies on Anti-Corruption and the Anti-Corruption Agency

Section 3 - Admission to Higher Education

Section 4 - Government Approaches to Higher Education (HE): National Strategy, Governance, and the Law

Section 5 - Structural (and some associated Quality) Issues for Higher Education Institutions (HEIs), principally the public HEIs

Section 6 - Integrity Issues and the Universities

Section 7 - Particular Issues for the Private Universities

Section 8 - The Commission for Accreditation and Quality Assurance (CAQA)

Section 9 - Conclusions and Next Steps

1.2 Methodology of the Report

There have been essentially two methodologies for this baseline assessment.

1.2.1 Firstly, desk research has been carried out on a range of printed and online resources, including official Serbian documents made available to the experts. All these resources are listed in the References at the end of the baseline assessment.

1.2.2 Secondly, the experts have undertaken content analysis of the series of meetings which they had with a wide range of groups of key stakeholders (see par.1.1.2 above).

1.3 Awareness of Other International Project Work

1.3.1 In their desk research, the experts have become aware of other projects being taken forward in the area of education by the Serbian Government and HE community in partnership with international organisations, and involving international funding. Some of the main projects and activities are described below, with an initial evaluation of how far they may connect to the themes of the current joint EU/CoE project. This evaluation is important to ensure the current project avoids unhelpful overlap with other projects and activities, and rather seeks to achieve meaningful new 'added value' to these projects and activities, and collaborate with them as appropriate.

The Tempus Foundation HERE Team

1.3.2 The Higher Education Reform Experts Team (HERE) is funded from the budget of the Erasmus+ programme of the European Union. In June 2015, the Ministry of Education, Science and Technological Development (MESTD) named the current composition of the Team with a three-year term of office, with the Team's roster consisting of 15 experts (see <http://erasmusplus.rs/european-networks/here-team/>). While the current list of the Team's activities does not appear to include any activities which relate specifically to the focus of the current project, generally it would seem appropriate for the project to establish and maintain contact with the HERE Team.

The Erasmus+ Project ‘Development and Implementation of System for Performance Evaluation for Serbian HEIs and System’ (PESHES)

1.3.3 The ‘Development and Implementation of System for Performance Evaluation for Serbian HEIs and System’ (PESHES) Project is an important Project, which seems to have commenced in 2016 for a 3-year period, with grant funding of €826,350. The Project is specifically connected with the Republic of Serbia ‘Strategy for Education Development in Serbia 2020’ and the ‘Action Plan for Implementation of the Strategy’ (see further discussion of these in par.4.1.1-4.1.4 below). The Project is supported by the Ministry of Education, Science and Technological Development (MESTD). The objective of the Project is ‘to improve the quality of higher education by introduction of quality indicators and performance measurement’. The partners within the Project include six Serbian universities, a range of other Serbian organisations (including MESTD), and universities from Croatia, Italy, the Netherlands and Spain. Although the current stated ‘Deliverables’ for the Project do not include any that appear to relate very specifically to ‘strengthening integrity and combating corruption’ in HE, the PESHES Project seems to be on a large and wide-ranging scale, making it important that the current project liaises in a fully appropriate way with it. (See <http://projects.tempus.ac.rs/en/project/915> for the PESHES Project).

Other Tempus and Erasmus+ Activities

1.3.4 Of course, the experts are aware of the wide range of Tempus and Erasmus+ projects which Serbian universities have been involved in, but they understand these to have largely involved international collaboration in specific individual subject areas. However, they are also aware of the earlier Tempus funded Project ‘Strengthening the Implementation of EU Modernisation Agenda in the Western Balkan Region by Building Capacity for Structural Reform (STREW)’, which finished in December 2013 and included the launch of the Regional Platform for Benchmarking and Cooperation in Higher Education and Research in 2012. Although some time ago, this Project appears to have been at a wider systems level, and it may be useful for the current Project to explore if any links can be developed from previous STREW work.

1.4 Awareness of Other Earlier International Assessments of the Serbian Education System

1.4.1 In addition to other current and recent international projects, the experts’ desk research made them aware of another relatively recent significant international assessment of the integrity of the Serbian education system.

‘Strengthening Integrity and Fighting Corruption in Education – Serbia’ – OECD 2012

1.4.2 This large-scale exercise was undertaken by a team using the Integrity of Education Systems (INTES) methodology developed for the OECD. There was a review team of nine, and the methodology included meeting with over 100 Serbian

stakeholders. The assessment covered the entire education system, not only HE, and the final report stretches to 140 pages.

1.4.3 Within the report, a wide range of issues are identified for HE. These include the need to:-

standardise admissions to HE (pp.14, 32-37, 88, 119, 121-3); give more weight to socio-economic background of students in accessing public funding support (pp.14, 88, 126); improve academic standards to combat plagiarism and cheating (pp.14, 38, 123); address limitations on research ethics (p.124); strengthen general approaches to academic integrity, including codes of ethics (p.124); strengthen transparency and accountability of assessment procedures (pp.14, 38, 88, 123); give more human resources to the Commission for Accreditation and Quality Assurance (CAQA) and address other issues around CAQA (pp.15, 75, 93, 125); strengthen the weak links between the Anti-Corruption Agency (ACAS) and the education sector (pp.15, 78); consider issues with the autonomy of HEIs, the autonomy of individual Faculties, and unequal funding between Universities and Faculties (pp.38-9, 73-74, 92); increase student participation, including the role of students in evaluating staff (pp.92, 125); address issues with academic staffing, including salaries (pp.124-6).

1.4.4 Of course, this report was published in 2012, and even within the report itself there is an Annex B which indicates 'Follow-up Measures' the Serbian authorities had already begun to undertake in response to the INTES assessment by the time the report was published. However, the HE-specific measures indicated in Annex B are quite limited. The OECD Report remains a relevant point of reference in assessing integrity in the Serbian HE system in 2017, and it is the only report which the experts will regard in this way as a source for overall assessment, e.g. the 2014 Tempus 'Report on the System Funding of Higher Education in Serbia' (produced within the Tempus Project 'Towards Sustainable & Equitable Financing of Higher Education in Bosnia and Herzegovina, Montenegro and Serbia – FINHED') is useful background on a range of financing issues, but it does not address any integrity-related issues directly, with the possible exception of aspects of student funding.

Recommendations from Section 1 (on Introduction, including General Approaches, Methodologies and Use of Other Work)

Recommendation 1(a):

In developing dialogue with Serbian HE stakeholders, the joint EU/CoE Project to 'Strengthen Integrity and Combat Corruption in Higher Education in Serbia' should show full respect for the substantial historical traditions and current internationally recognised achievements of the Serbian HE system, including the University of Belgrade specifically.

On the other hand, the Project should ensure such dialogue also focuses openly and directly on areas requiring further development in the current system, including evaluating the extent to which issues raised by the 2012

OECD report ‘Strengthening Integrity and Fighting Corruption in Education - Serbia’ have subsequently been addressed.

Recommendation 1(b):

The current joint EU/CoE Project should maintain liaison with the Tempus Foundation HERE Team, the Erasmus+ Project ‘Development and Implementation of System for Performance Evaluation for Serbian HEIs and System’ (PESHES) and any other relevant Tempus/Erasmus+ projects and activities involving Serbian HE.

2 - NATIONAL POLICIES ON ANTI-CORRUPTION AND THE ANTI-CORRUPTION AGENCY

2.1 As an early topic within the current baseline assessment, it is important to explore the extent to which any overall Government policies and procedures on anti-corruption include a particular focus on combating corruption and strengthening integrity in education, specifically in HE.

Evidence from Documents

2.2 In Serbia, there are relatively few official documents on recent national anti-corruption policies and actions which relate specifically to HE, although some other documents do also make relevant points.

Law on the Anti-Corruption Agency 2010

2.3.1 The Law states that it ‘governs establishment, legal status, competencies, organisation and operation of the Agency for combating corruption ..., rules concerning prevention of conflicts of interest in discharge of public office and property disclosure reports of persons holding public office, introduction of integrity plans, as well as other issues of relevance for the work of the Agency.’

2.3.2 In terms of its particular relevance for Higher Education, the Agency:

- Supervises implementation of the National Anti-Corruption Strategy and its associated Action Plan;
- Issues guidelines for developing integrity plans in the public and private sector;
- Requires legal entities such as universities to forward at the request of the Agency, all documents and information necessary for the Agency to perform its tasks;
- Sets controls over asset and income declarations by public officials;
- Sets requirements on avoiding conflicts of interest;
- Sets requirements over holding more than one post;
- Addresses various other general anti-corruption matters.

The experts' understanding is that public Universities and Faculties constitute legal entities and that both Rectors and Deans are considered to be public officials. (From later information received, some other specific categories of staff and particular staff roles are also considered to be public officials, but not all teaching staff.)

The National Anti-Corruption Strategy in the Republic of Serbia for the Period 2013-2018

2.4.1 This document has a specific section on Education and Sport. It makes the point that corruption risks in the education sector are mainly in regard to a lack of transparency in processes and there being a high level of discretionary powers in decision making. It makes reference to the OECD Report 'Strengthening Integrity and Fighting Corruption in Education – Serbia' (2012), which has already been discussed more generally in par.1.4.2-1.4.4 earlier, and acknowledges the issues raised in it about potential corruption, particularly regarding school education. Specific comment is made on the need to regulate private higher education more fully and comment is made on strengthening the role of the Commission for Accreditation and Quality Assurance (CAQA).

2.4.2 Three of the five objectives then set are of particular relevance to Universities:

- Change the legal framework relating to the appointment, position and powers of directors of primary and secondary schools, as well as Deans of Faculties;
- Ensure transparency of the procedures for registration, examination, grading and evaluation of knowledge in all academic institutions;
- Ensure that the process of accreditation, and subsequent control of fulfilment of conditions for work, of public and private educational institutions is based on clear, objective, transparent and pre-determined criteria.

Action Plan for Chapter 23

2.5.1 For Higher Education this document has nine relevant actions:

- Employment in Higher Education Institutions (HEIs);
- Enrolment in HEIs;
- Assigning grades in Higher Education;
- Finances (allocation and other)
- Enhancing the inspection oversight;
- Accreditation of institutions and programmes;
- Strengthening integrity in education - Ethical Codes and Rules for Pupils, Students and Teachers;
- Advancement of the integrity of the body establishing standards and quality assurance;
- Enhancement of the work of MESTD.

2.5.2 It then identifies the relevant outcomes, gives the measures to be used, specifies the timescales, and which authorities are to carry out the actions, such as MESTD, the National Council for Higher Education (NCHE) and CAQA. This is a very up-to-date document with actions beginning from May 2017 and having end points mainly in 2019, although some of the actions are simply to be continuous.

What is being proposed is relevant and is attempting to address various problematic areas identified in previous reviews of the education system in Serbia such as the OECD's 2012 Report 'Strengthening Integrity and Fighting Corruption in Education - Serbia', as earlier mentioned.

Identifying risk areas in higher education institutions – first cycle of integrity plans

2.6.1 The Anti-Corruption Agency provided this very useful short paper stemming from its work on the first cycle of collecting integrity plans. As part of the process it had carried out a consultation exercise with representatives of HE and also completed some qualitative research with three Faculties at the University of Belgrade. This was to identify potential risk area within HE but not to quantify whether there were actual examples of these issues found in practice.

2.6.2 Four areas of risk were identified:

- Enrolment of students;
- Examination and evaluation of knowledge;
- Pricing of services provided by Faculties and management of the funds collected by the Faculties as income
- Elections for scientific-educational titles.

Within each area specific possible corrupt activities were then identified, along with potential solutions. The possible corrupt activities are similar to those identified in the 2012 OECD report, but what is gratifying to see is the HE system actually identifying its own solutions to the Anti-Corruption Agency in an open, honest and positive manner which augurs well for change in the system.

It is worth noting that the second cycle of integrity planning is underway.

Information on Measures Imposed on Officials who Performed Public Functions in Higher Education Institutions - during 2014, 2015, 2016, and 2017 - until 30 April 2017

2.7.1 The Anti-Corruption Agency also provided this very useful short paper detailing its actions against HE staff for contraventions of the Anti-Corruption Agency Act since 2014.

2.7.2 There were 33 incidences, 15 of which were for staff performing more than one post simultaneously without permission, and 18 relating to conflicts of interest, 16 of which were classified as nepotism.

2.7.3 Most cases (18) were dealt with through a warning being issued while a further 6 were subject to public announcement of being in violation of the law. The remaining 9 (all conflicts of interest) were subject to public announcement of the recommendation for dismissal. (However, at the time of writing the original report, no details were provided of the recommendations for dismissal being carried out. We understand from later information that two people were dismissed. Other cases were dealt with in a variety of ways and two are still ongoing.)

Summary Comments on Evidence from Documents

2.8 The 2012 OECD Report ‘Strengthening integrity and Fighting Corruption in Education - Serbia’ raised a number of issues relevant to HE. Since then, it is clear that the National Anti-Corruption Strategy and the work of the Anti-Corruption Agency have sought to address corruption risks and risks to integrity in HE, and sustain a focus on these.

Evidence from Meetings

2.9.1 A meeting was held with senior staff of the Anti-Corruption Agency and during discussion, Agency staff outlined its role and detailed its involvement with HE.

2.9.2 Work relating to Chapter 23 negotiations with the European Union was highlighted and it was noted that various previously set deadlines had been missed largely due to the development of the new Draft Law on Higher Education. Comment was also made about the new Draft Law and some concerns were expressed that in the then recently released Draft version various opportunities were felt to be missed. During the consultation period the Agency intended to pass on its comments and argue for measures it believed would strengthen its role.

2.9.3 Staff outlined the Agency’s role in the development of institutions producing and submitting integrity plans. For public HE institutions the pattern was for each Faculty to produce its own plan but for there also to be an overall University plan. (Private Universities were not required to produce integrity plans which seemed somewhat anomalous.) The integrity plans were seen as a means to map areas of risk but they also had an educative function, helping to raise awareness of what was expected of staff regarding ethics and integrity.

2.9.4 Advice and training had been provided to institutions on the Agency’s expectations of what should be in an integrity plan and how it should be compiled. The expectation was that a working group would take the lead, constructing and then disseminating to all staff a questionnaire on integrity matters. Once these questionnaires were returned the working group, with Human Resources’ active involvement, would write the integrity plan and submit it to the Agency. While the use of the questionnaire was to encourage wide staff involvement it was noted that filling in of the questionnaires was anonymous but both the institution and the Agency itself

were aware of the return rate of the questionnaire on the part of the institution's staff. It was also commented that there was no significant involvement of students in the process.

2.9.5 Over the first three year cycle of integrity planning about 50% of plans had been returned to the Agency, although specific figures for the University sector were not available. Agency staff were quite encouraged by this return rate as there had been no sanctions for not returning plans. The Agency staff expressed the view that introducing some sanctions on the manager/director of the institution or towards the institution itself would be a positive step.

2.9.6 From the first cycle of integrity planning the areas of risk within the Universities had been identified as enrolment, exams, appointment and promotion processes. There was a need for greater transparency in processes and the avoidance of conflicts of interest.

2.9.7 As is evident from par.2.3.2 above, some University staff are subject to the Agency's requirements, namely Rectors, Deans and some other specific categories who are considered to be public officials. However, it was noted that other levels of academic staff were therefore not subject to the same level of requirement.

2.9.8. Agency staff spoke very positively about their recent development of an online e-learning programme which dealt with the prevention of corruption (ethics and integrity). The new Law will require public officials and civil servants (ie including Rectors and Deans) to pass this programme. It was suggested that this might be extended to all other levels of academic staff in the public Universities, and Agency staff were broadly supportive of such a possible future development. (Our later understanding is that a new Draft Law on the Anti-Corruption Agency proposes this.)

Summary Comments on Evidence from Meeting

2.10 Having completed the first cycle of integrity planning the Agency staff were now looking forward to how the next cycle would build on the successes of the previous three years, having noted various area of potential improvement and development.

Recommendations from Section 2 (on National Policies on Anti-Corruption and the Anti-Corruption Agency)

Recommendation 2(a):

The relevant Serbian authorities (the Government of Serbia and the National Assembly) should support the Anti-Corruption Agency in its further development by giving full consideration to incorporating requests made by the Agency into the new Law on Higher Education.

Recommendation 2(b):

The relevant Serbian authorities (the Government of Serbia, MESTD, and the National Assembly) should ensure the private Universities in Serbia are subject to the same legal requirements for integrity plans as the public Universities, thus emphasising the wider public interest in the integrity of all Higher Education, both public and private.

Recommendation 2(c):

The relevant Serbian authorities (the Government of Serbia and the National Assembly) should extend the legal definition of public officials in HE from Rectors and Deans to all public University academic staff, with the same extension in public Academies and Colleges of Applied Studies, but applying this in a way which respects appropriate autonomy for public HEIs.

Recommendation 2(d):

The Anti-Corruption Agency should issue revised advice on the construction of integrity plans by HEIs, requiring appropriate measures to ensure the involvement of all academic staff in the process, and also student involvement.

Recommendation 2(e):

The relevant Serbian authorities (MESTD, the Anti-Corruption Agency, senior leadership of HEIs) should make successful completion of the e-learning anti-corruption programme a mandatory requirement for all HEI academic staff.

3 - ADMISSION TO HIGHER EDUCATION**University Admissions: Entrance Examinations and a New National Matura**

3.1 There are unresolved issues with admission to university in Serbia. The OECD Report had identified a lack of consistency and transparency around the many specific entrance examinations and procedures operated by individual Faculties and Universities across Serbia, and had argued for a standardised national approach based on the use of a newly-developed and robust national Matura school-leaving examination (pp.14,32-37,88,119, 121-123). Evidence from stakeholder meetings seemed to confirm that these problems have persisted, and that there has been no real progress in developing a new national Matura school-leaving examination as a means of moving to a more consistent and transparent system.

Evidence from Documents: The 2005 Law on Higher Education and the New Draft Law on Higher Education

3.2.1 In the 2005 Law on Higher Education, Article 83 discusses the 'admissions competition' for entry to HEIs. Article 85 expands on how the results of admissions competitions will be used to determine entry to HEIs.

Within Article 85, it is stated that an applicant's ranking for admissions is based on 'the

overall scores achieved in the secondary education and the results scored at the entrance examination'. However, there is also the confusing sentence 'An applicant having a general certificate of secondary education shall not sit for an entrance examination. Instead of an entrance examination, the applicant shall have the scores achieved at the school leaving examination evaluated in accordance with the general act of an independent higher education institution'.

In summary, the current Law on Higher Education is not completely clear, but both Articles 83 and 85 still refer to the individual institutions' 'admissions competitions'/'entrance examinations'.

3.2.2 Moving on to the new Draft Law, Article 100 does refer to institutions enrolling 'candidates without sitting an admissions exam, by recognising a...secondary school graduation exam'. A specific reference is also made to the 'International Baccalaureate Diploma'. However, while this Article then refers to ranking applicants on the basis of 'overall academic performance achieved during the secondary education in duration of four years, the results achieved on the secondary school graduation exam', it goes on to add 'and, as needs be, on the basis of the results achieved at national and international competitions alike, the results scored in knowledge tests, i.e. tendencies and aptitudes, in accordance with the general act of a higher education institution.' The inclusion of these last additions seem to leave scope for individual institutions to still use their own individual admissions assessments, and the overall Article certainly makes no clear reference to any new national Matura. However, in subsequent communications from MESTD, assurance was provided that the model of the national Matura is being developed and will be piloted in 2019 and 2020, 'so that registration under the new rules shall be realized from the year 2021'.

Evidence from Meetings

3.3.1 The Assistant Minister for Higher Education mentioned that the new Law on Higher Education would introduce a general 'baccalaureate', thus phasing out the current entrance examinations and associated preparatory classes. However, as has been indicated above, while there was no clear evidence in the new Draft Law provided to the experts that such a change was being proposed, subsequent assurances were provided on this by the MESTD.

3.3.2 The experts met with senior staff from four public Universities, three Rectors (including the President of the Rectors' Conference) and one other senior member of staff (the President of a University Quality Board). On admissions, in general terms these staff seemed to be more interested in retaining and refining University and Faculty specific entrance examinations than in any development of a national state Matura. The Faculties make regulations on admissions, but they should be comparable across the University. It was suggested that admissions' procedures are the same, and there is 'not much space left for corruption' with these. For example, all the Chemistry and Biology admission examinations for the Faculties of Medicine across Serbia are held at the same time.

3.3.3 Views expressed from meeting senior international organisation staff suggested that the better-off are more likely to be able to access the 'preparation activities' for entrance examinations offered by Universities, and therefore give themselves a better chance of success in these examinations, including the consequent access to scholarships as a result of high performance in the examinations. In addition, of course, the better-off have ongoing advantages in relation to self-funding student status.

3.3.4 Views expressed in meeting with senior staff from the NGO sector included strong comments on admissions to Universities. It was argued that the 'preparation for examinations' courses are expensive, and effectively can only be accessed by wealthy students. Issues also include transport costs to attend these courses for those who do not live in universities' centres. Such situations mostly affect those from socially disadvantaged and marginalised groups. Excellence is the main criterion for achieving scholarships, but achieving this is not only linked to entrance examinations but also to obtaining the highest marks in school. This leads to further issues of advantage/disadvantage because there is extensive use of private tutoring (again expensive) to assist wealthier students in achieving high marks in school assessments. Even if strictly forbidden, in rare cases this could include teachers tutoring their own pupils.

NGO staff also argued that pupils from less-well-off backgrounds were more likely to attend secondary vocational educational and training (VET) schools and then proceed to College rather than University. Attendance at VET schools rather than gymnasias could again be linked to better-off pupils gaining advantage by being able to access private tutoring for the assessments involved in transition from primary to secondary school. Staff argued that in Serbia a significant proportion of the most successful students from disadvantaged backgrounds who participated in PISA attended VET schools rather than gymnasias.

3.3.5 In supporting these arguments, NGO staff provided the experts with a copy of the EUROSTUDENT Report 'Social Dimension of Studying in Serbia', March 2016. This research report includes discussion of the relationship between parental level of education and a child's likelihood of going to university, (pp.19,31-2), and concludes children of parents with 'simple occupations' have 'significantly lower chances to access higher education (p.100). It also argues that pupils of lower socio-economic background are more likely to attend VET schools than gymnasias, and VET school pupils are more likely than gymnasium pupils to attend non-University HEIs than Universities (pp.47,101).

Summary Comments on Evidence from Documents and Meetings

3.4 Evidence from documents (the 2005 Law on Higher Education and the new Draft Law) and from stakeholder meetings seemed to confirm that the problems around the many specific entrance examinations and procedures operated by individual Faculties and Universities have persisted. Evidence from the stakeholder meetings has also

highlighted additional concerns around social equity, wider access and HE admissions, specifically to Universities. However, as indicated above, assurances have subsequently been provided by MESTD that a new national Matura school leaving examination is being developed as a means of moving to a more consistent and transparent HE admissions system. The experts also recognize that it may be appropriate to make exceptions for certain practical assessments required for admission to programmes in the creative arts and sports.

Other Issues of Social Equity and Wider Access, including Funding for Students, Additional Fees

3.5 There are also unresolved issues with other aspects of student funding which negatively affect student access to university, especially the achievement of wider access to socially disadvantaged and minority group students.

Evidence from Documents: The 2005 Law on Higher Education and the New Draft Law on Higher Education

3.6 In Chapter VII of the 2005 Law on Higher Education, Article 61 deals with student tuition fees. The wording of this Article in the two translations available to the experts is generally the same, emphasising that the HEI establishes the level of tuition fees. However, the second translation adds 'upon obtaining the opinion from the Ministry beforehand' in relation to this process. However, in Chapter VII, Article 71, of the new Draft Law, the role of the Ministry has been removed.

Evidence from Meetings

3.7.1 Representatives from the Students' Parliament of the University of Belgrade highlighted student protests in 2014 over additional fees, which all students, including scholarship students, have to pay. These are not fixed by the Law, but by the University. The explanations for the level of these fees is not transparent. The general argument by the University is that these additional fees are necessary because the Government only pays for Professors' salaries etc., not 'running costs'. Paying such fees is clearly challenging for less-well-off students.

3.7.2 As mentioned above, the experts were provided with the EUROSTUDENT Report 'Social Dimension of Studying in Serbia', March 2016. This Report provides further evidence of the impact of additional fees (p.20), and other issues such as the high level of student financial dependence on parents (p.70), and students from lower socio-economic background having to work to finance their studies (p.101). The Report also discusses the proposals in the 'Strategy for Education Development in Serbia 2020' to develop state-subsidised loans to assist students with meeting tuition costs and costs of living expenses (p.18).

3.7.3 In meeting with NGO staff, strong comments were also about admission of Roma students. There was reference to affirmative measures intended to ensure

enrolment of a significant number of Roma students to HE, but only a very small number of 'genuinely Roma' students had actually been enrolled. This important aspect of affirmative action merits further investigation.

Summary Comments on Evidence from Documents and Meetings

3.8 In addition to issues of social equity and wider access in HE admissions for the economically less-well-off, students from such backgrounds face further financial pressures when they become students, e.g. to meet the additional fees charged by Universities. Awareness of such subsequent pressures may negatively affect aspirations to seek admission to University. Further on admissions, there appear to be particular issues in achieving the aims of affirmative measures to ensure enrolment from Roma students.

Recommendations from Section 3 (on Admission to Higher Education)

Recommendation 3(a):

The relevant Serbian authorities (the Government of Serbia, MESTD, and senior staff at the Universities) should commit to replacing as soon as possible the current use of varied specific entrance examinations and procedures operated by individual Faculties and Universities with a standardised national approach based on the use of a newly-developed and robust national Matura school-leaving examination. However, exceptions should be made for certain practical assessments required for admission to programmes in the creative arts and sports.

Recommendation 3(b):

These same Serbian authorities should ensure that this new standardised approach is not accompanied by private tutoring arrangements which replicate the current advantages obtained by better-off applicants through paying for 'preparation courses' for University entrance examinations.

Recommendation 3(c):

More widely, these same Serbian authorities should commit fully to a range of policies designed to achieve maximum social equity and wider access in HE admissions, particularly to Universities.

These policies should include: reviewing social equity in access into gymnasias and vocational high schools respectively, with consequent implications for entering Universities as compared to non-University HEIs; reducing the subsequent financial burdens on less-well-off HE students by eliminating non-transparent additional fees, and implementing an appropriate state-subsidised loans system to help meet overall living expenses; ensuring specific affirmative measures to achieve admission of Roma students are implemented honestly and transparently.

4 - GOVERNMENT APPROACHES TO HIGHER EDUCATION (HE): NATIONAL STRATEGY, GOVERNANCE AND THE LAW

National Strategy

4.1.1 The experts are aware of the 'Strategy for Education Development in Serbia 2020'. (Ministry of Education, Science and Technological Development, Government of the Republic of Serbia, 2012). They are also aware of the 'Action Plan for Implementation of the Strategy for Development of Education in the Republic of Serbia by the Year 2020' (Government of the Republic of Serbia, February 2015). Both of these are very comprehensive documents. Each covers the entire education system.

4.1.2 Within its overall c.260 pages, the 'Strategy' devoted its entire Part Three to 'Higher Education Development Strategy'. This Part ranged over c.73 pages, looking at a 'Common Framework for Higher Education Development', 'Academic Studies – General and Master', 'Doctoral Studies', 'Vocational Studies' and 'Teacher Education'. A particular feature was the inclusion of 'SWOT Analysis Findings' in each of the main sections. In Part Four on 'Pervading Strategies of Education Development', there is a specific section on 'Education Funding', with a sub-section on 'Higher Education Funding'.

4.1.3 In the 'Action Plan', there then follows a very systematic development of 'Actions', each with an 'Activity title', 'Instruments for the implementation of action', 'Outcome – result of action', 'Progress indicators', 'Starts' and 'Ends' dates and 'Responsible agencies and partners'. There are 36 'Actions' under 'Higher Education – Joint Actions', 7 'Actions' under 'Vocational Education' (which is being treated at HE level), 11 'Actions' under 'Academic Studies (Undergraduate and Master)', 7 'Actions' under 'Doctoral Academic Studies', 11 Actions under 'Teacher Training' (which are related to HE), 18 'Actions' under 'Education Funding – University Education', and 4 'Actions' under 'Education Funding - Student Standard of Living' (which relate to HE). With the exception of a very small number of the 'Higher Education – Joint Actions', full details are provided for all these 'Actions' under each of 'Activity title', 'Instruments for the implementation of action', 'Outcome – result of action', 'Progress indicators', 'Starts' and 'Ends' dates and 'Responsible agencies and partners'.

4.1.4 Given the limited time available to the experts to undertake this baseline assessment, it was clearly not possible to complete a full and comprehensive analysis of all the HE details within the 'Strategy' and the 'Action Plan' (although some specific aspects of the 'Strategy' and 'Action Plan' are referred to elsewhere in the baseline assessment). However, the experts wish to make the general points that these documents exhibit a very comprehensive and precise approach to strategic planning by the Government of Serbia, and this is highly impressive. It follows that it is particularly important for the Government (and MESTD specifically) to sustain the rigorous evaluation of progress on the many 'Actions' detailed in the Action Plan. Subsequent communications from MESTD have indicated that an initiative is underway to revise the 'Strategy' and 'Action Plan', particularly strategic goals, actions,

and implementation periods.

The Governance of HE: 'Autonomy' of Faculties within Universities

4.2.1 There appears to be a very specific national issue in Serbian HE around the 'autonomy' of Faculties within Universities. The evidence indicates that the individual Faculties within Universities have far more autonomy from their central Universities than would be the more 'usual' position internationally (although the experts recognise that Serbia is not unique in this respect, e.g. Faculties in Croatia and Slovenia appear to have a similar level of autonomy).

Evidence from Documents: The 2005 Law on Higher Education and the New Draft Law on Higher Education

4.2.2 The experts are not completely clear on the relevant legal position on Faculty autonomy within the 2005 Law on Higher Education and the new Draft Law on Higher Education.

In the 2005 Law, Chapter I, Article 6 deals with 'autonomy'. The phrase used is 'The autonomy of a university, and of other higher education institutions'. If 'other higher education institutions' means only non-University HEIs, i.e. Colleges etc., then the Article does not appear to give autonomy to Faculties. If the term 'other higher education institutions' includes Faculties in Serbia, this seems an unusual use of the term by international comparisons, and needs to be clarified.

Article 48 in Chapter IV of the 2005 Law seems to support the principle of Faculty autonomy more clearly. Although this Article discusses the 'Integrative function of the university and other independent higher education institutions', it also includes the statement that 'A higher education unit shall have the right to put forward proposals' in relation to all the matters indicated in the Article as 'competences' of the University. Presumably 'higher education unit' here includes Faculties.

Article 55 in Chapter VI of the 2005 Law also leaves some aspects of the relationship between the central University and a Faculty unresolved. This Article is on 'professional bodies', and the relationship between the Senate of a University and the 'Teaching Staff Council' of a Faculty is not made clear.

In the new Draft Law, Article 57 in Chapter IV on the 'Organisation of a higher education institution' also discusses 'higher education units' within Universities, at one point mentioning 'Faculties' specifically. However, the Article also seems to distinguish between 'higher education units' which are 'legal persons', and those which are not. It is not clear to the international reader if all Faculties are 'legal persons', and what exactly this term implies. Additionally, even 'higher education units with the capacity of a legal person' which are parts of public Universities face involvement of 'the executive authority of the university' in a decision on 'status change' etc. Presumably, this means that Faculties have some limitations on their autonomy relative to their central Universities.

In summary, the legal position on the autonomy of Faculties relative to central Universities needs to be clearer, especially for understanding by international readers.

Evidence from Meetings

4.2.3 Whatever ambiguities may be found in legal documents, the significance of Faculty autonomy seemed much clearer in interview evidence.

4.2.4 On the autonomy of Faculties, the President of the National Council for Higher Education indicated that this issue had been discussed with Council of Europe experts since 2005 (at which time the President of the National Council was Rector of the University of Belgrade and Chair of the Conference of Universities). As a relevant context for Faculty autonomy, he stressed the size of the University of Belgrade, which has 31 Faculties, 10 scientific institutes, 100,000 students, and 6,500 professors (this figure covers full, associate and assistant professors) . There is a principle of 'decentralised structures', but it is possible to administer aspects of such a large University centrally, e.g. centralised election of Professors. However, state budget financing went to the Faculties.

4.2.5 The Secretary General of the Conference of Universities of Serbia explained that Faculties are separate 'legal persons', and that only one University is 'integrated'. She conceded that this can be problematic, but she has also emphasised in subsequent communications that Serbia is in a transitional phase on achieving more University 'integration', and that these issues are not unique to Serbia (e.g., as mentioned already in par.4.2.1 above, they affect Croatia and Slovenia also).

4.2.6 The experts met with senior staff from four public Universities, three Rectors (including the President of the Rectors' Conference) and one other senior member of staff (the President of a University Quality Board).

At this meeting, it was pointed out that the only integrated public University in Serbia is the State University of Novi Pazar. Ironically, it was suggested that it is difficult to interest students in the flexible course choices which are available in an integrated University.

Regarding the University of Belgrade, the Faculties make regulations, but they should be comparable across the University. As already discussed, it was suggested that admissions' procedures are the same, and there is 'not much space left for corruption' with these. For example, the Chemistry and Biology admission examinations for the Faculties of Medicine across Serbia are held at the same time. At the University of Belgrade, it was also emphasised that interdisciplinary programmes are available, especially 'University' programmes at Masters and Ph.D. levels. As will be discussed more fully in Section 6, Codes of Ethics are at University level, but each Faculty has its own Ethics Commission, which can then refer to a University Ethics Commission. If dismissal of a member of staff were being considered as a sanction, this would be a matter for the Faculty Dean.

The University of Arts has 'special characteristics'.

More generally across these public Universities, it was emphasised that the election of Professors is at University level, and that graduation Diplomas are issued at University level. General EU funding goes to the University, but Horizon funding goes to the Faculties.

Summary Comments on Evidence from Documents and Meetings

4.2.7 Despite some ambiguities on the position of Faculties relative to central Universities, there appears to be a very specific national issue in Serbian HE around the 'autonomy' of Faculties within Universities. The evidence indicates that the individual Faculties within Universities have far more autonomy from their central Universities than would be the more 'usual' position internationally (although, once again it is recognised this position is not unique to Serbia, and also applies in Croatia and Slovenia – see par.4.2.1, 4.2.5 above). For example, this seems to be the case on funding, where the allocation of national Government public funding appears to be allocated directly to Faculties, with no significant central University involvement. This 'autonomy' for Faculties clearly creates the potential for inconsistencies of approach between Faculties on a whole range of matters, including approaches to the teaching and learning experiences of students (see Section 6 below).

4.2.8 As discussed above, there may be particular historical reasons for this Faculty 'autonomy', given the very large size of the University of Belgrade specifically. There can also be arguments that other national HE systems exhibit 'negative' features of excessive 'top-down' centralisation of power with central University senior managements, especially when this is now generally combined with a 'managerialist' and 'target-setting' approach. However, the Serbian system does seem to be at the other extreme (although, again, not unique in this respect, once more see par.4.2.1,4.2.5, 4.2.7 above for comments on Croatia and Slovenia), which threatens the ability of central senior University leaders (and the national system more generally) to achieve appropriate coherence and consistency. Of course, to argue for 'reducing' the current level of Faculty autonomy is not necessarily to argue for 'completely eliminating' some degree of Faculty autonomy.

The Governance of HE: National Council for Higher Education

4.3.1 The National Council for Higher Education is clearly seen as a very important aspect of the overall governance of the Serbian HE system.

Evidence from Documents: The 2005 Law on Higher Education and the New Draft Law on Higher Education

4.3.2 On the National Council, there are some minor differences of detail between the two translations of the 2005 Law which the experts received, e.g. Article 10 on the 'Composition of the National Council' refers to a membership of 16 in the first translation, but 21 in the second translation, with an increase from 10 to 12 in the members proposed by the Conference of Universities, and from 4 to 7 in the members proposed by the national Government. However, this difference is not significant, and subsequent feedback from some Serbian stakeholders indicated the figures in the second translation to be the appropriate ones. The key consistent point is that the majority of members are proposed by the Conference of Universities. Another key consistent point is that the National Council elects its President. Other consistent

points are that the National Assembly sets 'remuneration' for the National Council members (Article 10), and the resources for the work of the National Council are provided 'through the budget of the Republic' (Article 12).

In the new Draft Law on Higher Education, Article 11, the proposed membership of the National Council is 17. Representation now appears to be 15 members proposed by the Conference of Universities, with the continuation of 2 members from the Conference of Academies and Colleges of Applied Studies. There is no longer any mention of members proposed by Government. This seems to strengthen the independence of the National Council from Government. On the other hand, of course, technically the Government 'elects' the members proposed to it, and the new Draft Law appears now to mention the Government, rather than the National Assembly, as responsible for aspects like dismissing members of the National Council. The new Draft Law also now states that the Government, rather than the National Assembly, establishes the amount of remuneration for members of the National Council.

Other new additions on the coverage of the National Council in the new Draft Law are principally at Article 12. These relate particularly to the relationship between the National Council and the new National Body for Accreditation and Quality Assurance in Higher Education, and will be dealt with in Section 8 of this baseline assessment. Article 12 also includes a new requirement for the National Council to convene meetings with commercial and professional associations, which seems a positive move in strengthening links between the HE community and the wider Serbian economy and society. In Chapter IX, Article 93, there also appears to be a new reference to the role of the National Council in setting criteria for the employment of academic staff beyond 65, but this seems a relatively minor point.

Evidence from Meetings

4.3.3 As has already been mentioned, the experts met with the President of the National Council for Higher Education. In a wide-ranging meeting, the President discussed a range of specific topics. As well as the National Council for Higher Education itself, these included Faculty 'autonomy' and the Council's relationship with the Commission for Accreditation and Quality Assurance (CAQA). The President's comments on these specific topics have been included in the relevant other Sections of this baseline assessment.

The experts would add that the overall range of insightful comments made by the President emphasises the value to the Serbian HE system of having a National Council for Higher Education with such distinguished leadership.

Summary Comments on Evidence from Documents and Meetings

4.3.4 The evidence considered confirms the initial view that the National Council for Higher Education is a very important part of the overall governance of the Serbian HE system.

In this context, it is particularly important that the National Council continues to operate with as much independence of central Government as possible.

Therefore, the further enhancement in the new Draft Law of the membership

proposed by the Conference of Universities, and the removal of members proposed by Government, is to be welcomed. It also remains important that the National Council continues to elect its own President.

On the other hand, the financial independence of the National Council could be further reviewed. While the new Draft Law no longer makes a direct reference to resources for the National Council generally being provided through the budget of the Republic', there is still a reference to the national Government in relation to 'remuneration' for National Council members. Of course, the full meaning of this is not clear. If this simply refers to routine expenses, there may be no issue, although even these could be paid from National Council funds generated in some other way than directly from Government, e.g. institutional subscriptions from the HE sector itself. However there is more of an issue if these are more significant 'remuneration payments as such. The need for such payments can be questioned, or at least they could also be paid from some other source than the Government.

Beyond this financial dimension, the role of Government in the dismissal of members could be reviewed to ensure that Government cannot 'abuse' this power, e.g. consideration could be given to the National Council deciding on 'dismissal' by majority.

The Governance of HE: Conference of Universities of Serbia

4.4.1 The Conference of Universities of Serbia (KONUS) is another very important aspect of the overall governance of the Serbian HE system.

Evidence from Documents: The 2005 Law on Higher Education and the New Draft Law on Higher Education

4.4.2 On the Conference of Universities of Serbia, Article 18 in both translations of the 2005 Law on Higher Education refers both to each University being represented by its Rector, and to the additional 'proportional representation' of extra representatives for 'every 1,000 teachers and associate teachers' and 'every 5,000 students'. The second translation also refers to funds for the work of the Conference of Universities being 'earmarked in the budget of the Republic'.

While focusing principally on the Conference of Universities in this section of the baseline assessment, reference will also be made to the Conference of 'Academies of Professional Career Studies'/'Academies of Applied Studies'. On the Conference of 'Academies of Professional Career Studies'/'Academies of Applied Studies', there is reference at Article 20 of the 2005 Law to the 'Academies' being represented by their President, or Director, but no reference to any additional 'proportional representation'. The second translation updates the terminology to the term 'the Conference of Academies of Applied Studies' (similarly all other original references to 'Academies of Professional Career Studies' and 'four-year Colleges of Professional Careers' subsequently appears as 'Academies of Applied Studies and Colleges of Applied Studies'). The second translation also refers to funds for the work of the Conference...being 'earmarked in the budget of the Republic'.

In the new Draft Law, there are no direct changes on the membership and

'Competences' of the Conference of Universities (see Chapter II, Articles 26 and 27). There is a significant new relationship between the Conference and the new National Body for Accreditation and Quality Assurance in Higher Education, but this will be dealt with in Section 8 of the baseline assessment. On the Conference of 'Academies of Professional Career Studies'/'Academies of Applied Studies', the new Draft Law essentially sustains the changes in terminology already noted above in the second translation of the 2005 Law, although there are some slight adjustments in wording, e.g. the overall term now used is the 'Conference of Academies and Colleges of Applied Studies', and there are no substantive changes to content (see Chapter II, Articles 28-29 particularly).

Evidence from Meetings

4.4.3 The Secretary General of the Conference of Universities of Serbia explained that the Conference of Universities represents 18 accredited Universities, 8 public (which are generally larger) and 10 private (which are generally smaller). The Secretary General indicated there are c.240,000 University students, but 100,000 at the 31 Faculties of the University of Belgrade, which is seen as the 'alma mater' for all. Precise figures for student numbers for session 2015-16 were subsequently provided by KONUS (the Conference of Universities of Serbia) to the CoE's Belgrade office. These indicated 251,162 HE students in total, with 177,352 at the public Universities, 28,203 at the private Universities, 41,467 at the public Colleges, and 4,140 at the private Colleges. The University of Belgrade's Rectors have chaired the Conference since 2005. The Conference is a 'legal person', but it has no employees.

The Conference comprises the Rectors' Council and the Assembly. The membership of the Rectors' Council is clearly each individual Rector (but see above on Chair). The Secretary General indicated that the University of Belgrade has the largest representation on the Assembly because representation is proportionate to each University's size. The University of Belgrade's additional members are drawn from the Senate and include Deans from different Faculties. The Assembly meets 2/3 times per year. The Rectors meet before the Assembly, e.g. if they have to put forward candidates to other bodies, and at other times, whenever necessary.

The Secretary General indicated that the Conference of Universities has links with the Conference of Academies and Colleges of Applied Studies.

On the general position of the Conference, the Secretary General emphasised the Conference 'talked to the Ministry all the time', and works with the National Council for Higher Education and with CAQA. The Conference is not used for 'single issue' 'exchange of best practice' meetings at the Assembly, but meetings are always useful as a way for all Universities to talk to each other. In terms of whether the current role of the Conference is sufficient, the Conference is reflecting on the comparative position of European University Association (EUA) members, such as the Hungarian Rectors' Conference, which is apparently has a separate administration to support its work (as opposed to this support only being provided by the administration of the chairing University).

The Secretary General concluded that the Conference of Universities 'still has a future'.

Summary Comments on Evidence from Documents and Meetings

4.4.4 The Conference of Universities of Serbia is clearly another important body within the national governance of Serbian HE. However, there do seem to be issues worthy of further exploration.

The respective roles of the Rectors' Council and the full Assembly are not completely clear. For example, there seemed to be almost a suggestion that the Rectors' Council specifically could look for separate 'legal person' status, like some international equivalents.

There are also particular issues associated with the system of 'proportional representation' operated by the Conference of Universities. Clearly, this has the effect of the University of Belgrade dominating the Conference of Universities. Evidence from private University leaders indicated that this applies not just to representation on the full Assembly, but also to 'weighted voting' on the Rectors' Council. Section 7 further discusses the grievances the private Universities have on this point. As the experts indicate in Section 7, they believe a principle of proportional representation should be retained on the Conference of Universities, but that the details of this should be reviewed to achieve more balance between institutions. Here, they would make this point not just in relation to the private Universities, but also in relation to the public Universities other than the University of Belgrade. The issue of the 'over-dominance' of the University of Belgrade is also returned to in Section 5 of the Baseline Assessment. Linked to this issue, some system of rotation of the chairing of the Conference would seem more balanced than the chair remaining only with the Rectors of the University of Belgrade for a long period.

Funding of the Conference of Universities would also benefit from review. Specifically, the independence of the Conference from central Government will be strengthened if it does not rely on funds 'earmarked in the budget of the Republic'. An alternative source of funding based on subscriptions from the member Universities, proportionate to the size of each University, would be a funding mechanism to guarantee clearer independence from central Government. This point about funding also applies to the Conference of Academies and Colleges of Applied Studies.

There are also wider points about the Conference of Academies and Colleges of Applied Studies. There seems to be scope for the Conference of Universities to develop a closer and fuller relationship with the Conference of Academies and Colleges of Applied Studies. Indeed, there is a sense in talking with stakeholders that the Academies and Colleges of Applied Studies, and their Conference specifically, are 'marginal' to discussions of the overall HE system and its governance. The wider position of the Academies and Colleges of Applied Studies will be returned to in Section 5 of the baseline assessment.

The Governance of HE: The Committee on Education, Science, Technological Development and Information Society of the National Assembly of the Republic of Serbia

4.5.1 The Committee on Education, Science, Technological Development and Information Society of the National Assembly of the Republic of Serbia has an

important role within the national governance of HE, and the experts were grateful for the opportunity to meet with the President of the Committee.

Evidence from Meeting

4.5.2 The President of the Committee explained the roles of the Committee, which are clearly defined in legislation. These are legislative, representative and supervisory. In its legislative role, the Committee is the penultimate stage before a draft Law goes to Parliament. The Committee discusses draft legislation and gives approval. In its representative role, the Committee can initiate ideas, and hold public hearings. It is open to 'citizens' initiatives'. In its supervisory role, the Committee is not part of the Executive, but it can order the Ministry Inspectorate to look at specific institutions, including Universities. The President emphasised there is a collegial 'ambience' in the Committee, and decisions are by majority voting. On the new Draft Law on Higher Education, the Committee has still not received amendments after public consultation. Once this has happened, it will take a view.

4.5.3 During the meeting with the experts, the President expressed his own views on a range of issues, which he emphasised are his personal views, not the official views of the Committee. The experts greatly appreciated the opportunity to hear the eloquently expressed and strongly held views of the President, and they noted the President's openness to make robust critiques of aspects of the existing HE system. However, rather than detail the President's specific views here, the experts prefer to make the general point that it is clearly a strength of the Serbian system for the governance of education (including HE) that it has a clear place for the full participation of elected parliamentarians with a strong personal commitment to pursuing quality in education.

Summary Comments on the Evidence

4.5.4 The evidence confirms that the Committee on Education, Science, Technological Development and Information Society of the National Assembly of the Republic of Serbia plays an important role within the national governance of HE in ensuring democratic input and scrutiny of policy initiatives. Apart from the Committee's own direct involvement in considering draft legislation, it is very positive to hear of its role in holding public hearings and receiving feedback from public consultation. Giving opportunities for direct involvement in policy development and scrutiny to elected parliamentarians with strong independent views can also be seen as a democratic strength.

The Governance of HE: The Role of Students

4.6.1 It is important to consider the specific place of students in the governance of Serbian HE.

Evidence from Documents

4.6.2 The 2005 Law on Higher Education very clearly delineates the role of students. This begins in the section on the Principles of Higher Education, where Article 4.7 requires the ‘participation of students in management and decision-making, particularly concerning matters of relevance to the quality of teaching.’

Thereafter various Articles take this principle forward. Article 10 ensures that two students serve on the National Council for Higher Education. Article 15 stipulates students being part of Quality Assurance considerations and Article 18 stresses that HEI self-evaluation processes must include student views. Article 22 sets up a Student’s Conference of Universities, which is state funded, with similar arrangements for the Academies and Colleges of Applied Studies. Article 50 stipulates the formation of Students’ Parliaments and Article 52 includes student representation on the Council of each HEI. Article 50 takes this further, ensuring that students have representation on HEIs’ Professional Authorities. Article 56 requires Students’ Parliaments to be formed with student members elected each year with a tenure of a year. Article 86 sets out the rights and obligations of students, including active participation in decision making, self-organisation and the expression of their own opinions, diversity and protection against discrimination.

4.6.3 The new Draft Law on HE appears to continue to give this high profile and full coverage to the place of students within the ethos and governance of HEIs.

4.6.4 The ‘Strategy for Education Development in Serbia 2020’ (2012) in Part Three ‘Higher Education Development Strategy’, Section 11 ‘Modernisation of Governance, Management and Business Administration’ states that there is a need to ‘Ensure that students in all bodies in which they participate, are fully participants in decision-making.’ (p128)

4.6.5 The associated ‘Action Plan for the Implementation of the Strategy for Development of Education in the Republic of Serbia by the Year 2020’, in the section on ‘Improving accreditation systems’ argues for the involvement of students in accreditation procedures (p22) and also in the section on ‘Improving student participation in raising the quality of the teaching processes for the better’ advocates incorporating student views into planning processes (p23).

4.6.6 These points clearly chime with a criticism raised in the 2012 OECD Report ‘Strengthening Integrity and Fighting Corruption in Education – Serbia’ which suggested that meaningful student participation was lacking and, indeed, was sometimes deliberately undermined by institutions. (p76) It is suggested that the lack of resources provided to Students’ Parliaments and student representatives means that they are unable to do their jobs effectively. A TEMPUS Project entitled ‘Strengthening the Student Role in Governance and Management of the Universities

of Serbia in Line with the Bologna Process' is noted. This Project ran from 2011 until 2013 and involved, amongst others, universities, student organisations, the Ministry and the National Council for Higher Education.

Evidence from Meetings

4.6.7 A meeting was held with representatives of the Students' Conference of Universities of Serbia (the President and the Secretary General). The student representatives expressed some concerns that the new Draft Law would in effect lessen student participation by having students only able to attend various bodies by invitation when there were matters relevant to students rather than as of right as full members. They are in the processes of raising their concerns as part of the public consultation on the new Draft Law. The student representatives outlined the manner in which student representatives are involved in HEI governance and this appeared to accord with the legal requirements.

The student representatives are aware of tensions between Faculties and institutions but raised no concerns regarding student representatives being sidelined in discussions or decision making. They acknowledged the role students are asked to play in evaluation processes but stated that sometimes students are reluctant to be involved or to give full feedback as they fear staff 'revenge'. The student representatives at the meeting, both of whom are full-time current students on different programmes, were very thoughtful and articulate about the issues of student representation. In response to a question about the possibility of student sabbaticals (i.e. periods of time, usually one full academic session, when senior student representatives are exempt from programme attendance, coursework and assessment so that they can focus on student representation duties), they were enthusiastic that this would help them to represent their fellow students in an even better manner.

4.6.8 A meeting was also held with student representatives of the Students' Parliament of the University of Belgrade. The student representatives explained that the University of Belgrade has both a Students' Parliament and a Students' Alliance. The former is a formal part of the University's structures, while the latter is a wider grouping of students and has its own legal status, meaning that it can have its own bank account, apply for grants and take part in European projects.

Students do play a part in the governance of the University, but they did suggest that funding for their work and the provision of accommodation can be problematic. Sometimes things still happen with which the students disagree and in that kind of circumstance student protests are not unknown. An example was given of a sudden and substantial fee rise being imposed, the outcome of which was student protests. Students understood the rationale being claimed behind the fee increase but still did not accept it and eventually won the day. However, it was again stated that some students are reluctant to take part in protests due to concerns about what powerful members of staff might do in response.

The student representatives at the meeting, all of whom are full-time current students on various programmes, were also very thoughtful and articulate about the issues of student representation. In response to the question about the possibility of student sabbaticals, these students were also enthusiastic that this would help them to represent their fellow students in an even better manner.

4.6.9 In the meeting with the Secretary General of the Conference of the Universities of Serbia, the active role that students play in the University system was highlighted and celebrated by the Secretary General. The example was given of how in, in the University of Belgrade, students had been fully involved in the revisions to the Code of Integrity over a nine month period. The Secretary General argued that there is a general good relationship between students and staff, and that having a Vice Rector for Students is also a positive measure.

4.6.10 In the meeting with senior staff of the Commission for Accreditation and Quality Assurance (CAQA), the emphasis that ENQA puts on having students involved in accreditations was highlighted and, there was some regret that the new Draft Law had not been taken as an opportunity to legislate for this. In principle, as well as in order to be compliant with ENQA, such involvement was seen to be a good thing and it was thought would help to improve both HE and its quality assurance.

Summary Comments on Evidence from Meetings

4.6.11 There was a general consensus that having students involved in University governance and quality assurance process is a good thing, and yet there were some concerns, from students on behalf of their fellow students, that being outspoken as a student might lead to negative responses from some University staff. This is to be regretted. Steps should be taken to ensure that one of the principles from the Law on HE (that the participation of students in management and decision-making, particularly concerning matters of relevance to the quality of teaching) is seen as being of real importance and is carried through. Of course, it is also important to ensure that political parties do not play any inappropriate role in the election of student representatives.

Law on Higher Education

The 2005 Law on Higher Education

4.7.1 The experts were provided with two English translations of the 2005 Law on Higher Education, which they understand incorporate amendments from 2008, 2010 and 2012. The existing Law contains nineteen Chapters:-

I: Basic Provisions; II: Quality Assurance in Higher Education; III: Studies and Study Programmes; IV: Institutions carrying out Higher Education Activities; V: Scientific Research and Artistic Work; VI: Bodies of a Higher Education Institution; VII: Financing of Higher Educations founded by the Republic; VIII: Staff of a Higher

Education Institution; IX: Rights and Obligations of Employees of a Higher Education Institution; X: Regime of Studies; XI: Students; XII: Lifelong Learning; XIII: Records and Public Documents; XIV: Recognition of Foreign Higher Education Documents and Evaluation of Foreign Study Programmes; XV: Administrative Supervision; XVI: Penal Provisions; XVII: The Functions entrusted to the Autonomous Province of Vojvodina; XVIII: Higher Education Institutions in the Territory of the Autonomous Province of Kosovo and Metohija whose Founder is the Republic; XIX: Transitional and Final Provisions.

Essentially, these Chapter headings were the same in both translations received. There were only some very minor variations of wording for some headings, none of which are significant.

In the analysis elsewhere in this baseline assessment of some aspects of particular interest in the existing Law, reference has normally be made to the first translation received, but any variations in the second translation which seem to be significant updates have been mentioned. However, none of these differences are of fundamental significance, particularly when comparing the 2005 Law with the proposed new Draft Law on HE.

The New, Draft Law on Higher Education

4.7.2 It was only a version of the current Law on Higher Education which was available to the experts before and during their visit to Serbia. However, during meetings, some stakeholders made reference to a proposed new Draft Law, and a copy of this was subsequently made available to the experts. The experts now understand that a new Law on Higher Education was finally passed subsequent to the completion of the June version of this Baseline Assessment. However, the experts have not been given an English translation of the new Law. Therefore, they cannot adjust the text of the revised October version of the Baseline Assessment for the specifics of the new passed Law. The analysis below has to remain based on the version of the Draft Law made available to the experts. This means that some of the points raised by the experts may have been subsequently overtaken by the new Law as finally passed.

The new Draft Law contains the same nineteen Chapters as the existing Law, but there are significant differences in the numbering of Articles. However, as summarised below, there are only limited changes and additions in actual content from the existing Law to the new, Draft Law. As also indicated below, any of these changes which are relevant to particular topics have also been referred at the appropriate places in the main text of the baseline assessment.

- In Chapter I, the 'Objectives of higher education' in Article 3 include new objectives on educating a 'creative population', and there is a new principle of 'academic integrity' within the 'Principles of higher education' in Article 4. However, there is no expansion on the simple term 'academic integrity'. There are also new principles on 'connection with pre-university education' and 'protection of intellectual property in the processes of knowledge transfer'. Article 5 on 'academic freedoms' also adds an emphasis on 'observing

intellectual property rights'. These additions to Articles 4 and 5 are dealt with elsewhere in this baseline assessment (see par.4.7.3 and 4.7.6).

- In Chapter II, there are some adjustments on the National Council ('Composition' at Article 11, 'Competences' at Article 12). Relevant aspects of the new National Body for Accreditation and Quality Assurance in Higher Education are dealt with at throughout Articles 14-25. There are some slight adjustments to terminology on the Conference of Academies and Colleges of Applied Studies within Articles 28-30. All of these aspects are dealt with elsewhere in the baseline assessment (par.4.3.2, 4.4.2, 8.1.6 - 8.1.8). There is a new Article 32 on 'European integration in education'.
- In Chapter III, at Article 35 there is a new reference to 'specialist applied studies', at Article 37 there is some new discussion of 'narrow scientific, artistic and professional areas within scientific, artistic and professional areas', and at Article 39 there is a new reference to short programmes of study. There is also a new Article 42 on 'Discontinuation of a study programme'.
- In Chapter IV, Article 43 includes a new paragraph about 'commercialisation' and Article 49 refers to universities establishing 'innovation centres'.
- Also in Chapter IV, under 'Work permits' for HEIs at Article 52, previous material on the % of teaching staff who must be full-time, have doctorates etc. has been removed. Under 'Organisation of a higher education institution' at Article 57, there is new material on 'status change' etc. of a 'higher education unit that is part of a university with the capacity of a legal person'. These aspects are dealt with elsewhere in the baseline assessment (see par.5.3.3, 4.2.2).
- In Chapter VI, there are some minor additions elsewhere, but more specifically it can be noted that the term for Rectors, Deans, and Presidents/Directors is now given as four years (Article 64), and the same Article refers to the appointment of a University manager. Article 65 refers to the 'professional authority' of an institute within a University as being the 'Research Council'. These aspects are dealt with elsewhere in the baseline assessment (see par.6.4.2, 5.5.2).
- In Chapter VII, Article 71 on 'Tuition fees' removes the previous reference to the role of the Ministry in establishing the levels of tuition fees. This aspect will be dealt with elsewhere in the baseline assessment (see par.3.6).
- In Chapter VIII, Article 73 introduces the 'rank' of 'senior lecturer'. Article 74 introduces some new terminology around appointment as senior lecturer, professor of applied studies, and assistant professor. Article 80 contains new discussion of 'Lecturer not employed by a higher education institution'. Article 82 introduces a new position of 'assistant holding a doctoral degree', and Article 85 expands on this post. These aspects are dealt with elsewhere in the baseline assessment (see par.6.4.2).
- In Chapter IX, Article 93 introduces a role for the National Council for Higher Education in adopting the criteria for academic staff entering into employment contracts after the age of 65. This aspect will be dealt with elsewhere in the baseline assessment (see par.4.3.2).
- In Chapter XI, Article 99 introduces a new paragraph about the Government

establishing additional funded places for 'affirmative measures' students. Article 100 introduces some new sentences on 'ranking and enrolment of applicants' for admission to HEIs. These aspects are dealt with elsewhere in the baseline assessment (see par.3.2.2).

- Chapter XIII has significantly expanded material on HE record and data keeping (Articles 113-120).

Evidence from Meetings

4.7.3 The Assistant Minister for Higher Education suggested that the new Draft Law on Higher Education includes new Articles on academic integrity, with definitions. In defining academic integrity, it would be made clear that this differs from Serbian translations which can be taken to mean 'integration'. There is also a whole Chapter on transparency of records, information systems, and information on study programmes and finance. The significance of these comments will be discussed in par.4.7.6 below.

4.7.4 Representatives of the Students' Conference of Universities of Serbia mentioned a separate Law on Student Organisation(s) and that student organisations were not covered in the 2005 Law on Higher Education, with none of the 'nine changes' to 2005 Law referring to students' organisations. This raises the issue of the relationship between the overall Law on Higher Education and any other separate Laws dealing with particular aspects of HE.

4.7.5 This issue also arises with some comments of the President of the National Council for Higher Education, who seemed to refer to a new separate Law on Financing of Higher Education.

Concluding Comments on the Law on Higher Education, and specifically the New Draft Law

4.7.6 The experts have concerns about the position of overall Laws on Higher Education, such as the current 2005 Law and the proposed new Draft Law in Serbia. They wish to emphasise that these concerns are not unique to Serbia, but they are issues which the experts have raised before in many countries whose history includes a very significant period of Communist regimes in the 20th Century.

There are risks in discussions of change in HE systems being dominated by an inappropriate and excessive focus on implementing one overarching Law on Higher Education.

This type of Law can often seem comprehensive, e.g. the summary of Chapter titles from the current Law in par.4.7.1 above has been included to emphasise this apparent comprehensiveness in the Serbian Law. However, stakeholders can then make reference to additional separate Laws, e.g. the references to separate Laws on Student Organisation(s) and Financing of Higher Education mentioned above, so the overall Law cannot then be the one source for the legal framework of the HE system. More deeply, if a system is looking to achieve fundamental change, focus on a single

Law of the type presented in Serbia is too narrowing. For example, the purpose in presenting the list of amendments and additions from the new Draft Law in par.4.7.2 above is to make the point that the combined changes are generally relatively minor, and not about deeper progressive change. For example, despite the Assistant Minister for Higher Education suggesting that the new Draft Law on Higher Education includes new Articles on academic integrity, with definitions, Article 4 does nothing more than simply state the term 'academic integrity'. However, the experts now appreciate that the new Law as finally passed may have detailed broader and deeper changes than the Draft version they were given.

If there is too narrow a focus on a single Law, the risk for any system then becomes that deeper discussions about progressive changes do not take place, and the progressive changes themselves are not made, because stakeholders are told to wait for the 'new Law', which by its very 'mechanistic' and narrow nature is not the best way to progress fundamental change anyway. Protracted procrastinating discussion over enacting a new Law then becomes a serious barrier to achieving progressive change. In the June Baseline assessment, the experts were making this as general comment which can apply to any system. They were not necessarily confirming that they saw this as a problem for the Serbian system specifically. They were simply cautioning that the risk of this problem should be guarded against by all stakeholders in Serbia.

Certainly, a new Law on Higher Education should enact the various relevant recommendations specified elsewhere in this baseline assessment. However, this should be done quickly.

More generally, the Serbian Government and HE system should look to establishing a governance framework for HE which avoids the need for excessive reliance on a single 'mechanistic' and narrowing national Law as the instrument for achieving progressive change and development.

Recommendations from Section 4 (on Government Approaches to Higher Education [HE]: National Strategy, Governance and the Law)

Recommendation 4:

The relevant Serbian authorities (the Government of Serbia and MESTD specifically) should continue to work towards completing the 'Actions' relevant to Higher Education within the 'Action Plan for Implementation of the Strategy for Development of Education in the Republic of Serbia by the Year 2020', and sustain the rigorous evaluation of progress on achieving the associated 'Outcomes'.

Recommendation 5(a):

The relevant Serbian authorities (the Government of Serbia, MESTD, the National Council for Higher Education, the Conference of Universities of Serbia, and senior staff at Universities) should engage in discussions, with a view to reducing (but not completely eliminating) the current autonomy of Faculties

within Universities and thus strengthening the capacity of central senior University management to achieve more coherent and consistent University-wide approaches.

Recommendation 5(b):

On the other hand, these same Serbian authorities should ensure that any development of a strengthened central senior University management is based on a collegial and participatory approach to leadership and management, avoiding the more 'negative' risks of an excessively 'managerialist' and 'target-setting' approach.

Recommendation 5(c):

The relevant Serbian authorities (specifically the Government of Serbia and MESTD, but in full collaboration with the National Council for Higher Education, the Conference of Universities of Serbia, and senior staff at Universities) should ensure that any new Law on Higher Education is completely clear in stating the position of Faculties relative to Universities which emerges from the discussion mentioned in Recommendation 5(a) above.

Recommendation 6(a):

The Government of Serbia should ensure that it guarantees the maximum independence from Government of the National Council for Higher Education. In particular, the relevant Serbian authorities (the Government of Serbia and the National Assembly) should ensure that any new Law on Higher Education moves forward from the current Law by increasing the membership level on the National Council for Higher Education of those proposed by the Conference of Universities, and removing completely the 'proposed by Government' category.

Recommendation 6(b):

These same Serbian authorities should review the financing of the National Council for Higher Education, particularly the issue of 'remuneration payments' to National Council members, to ensure that the independence of the National Council from Government is not compromised. The outcome of this review should be incorporated in any new Law on Higher Education.

Recommendation 6(c):

These same Serbian authorities should also review the role of Government in the dismissal of members of the National Council to ensure that the independence of the National Council from Government is not compromised. The outcome of this review should be incorporated in any new Law on Higher Education.

Recommendation 7(a):

The relevant Serbian authorities (the Government of Serbia, MESTD, the National Assembly, the National Council for Higher Education, the Conference of Universities, and senior University leaders) should retain the general

principle of 'proportional representation' in the Conference of Universities, but should review the details of this, with a view to reducing the 'over-dominance' of the University of Belgrade and increasing the relative influence of the other Universities.

This review should also identify ways to ensure a more equitable 'rotation' of the chairing of the Conference among institutions, so that chairing does not effectively become a 'monopoly' of the University of Belgrade.

The outcome of this review should be incorporated in any new Law on Higher Education, but by setting a framework for change which recognises appropriate autonomy for the Conference of Universities to make final decisions on its own procedures.

Recommendation 7(b):

These same Serbian authorities should also develop a new system of funding for the activities of the Conference of Universities and the Conference of Academies and Colleges of Applied Studies, replacing funding from the national Government with funding from subscriptions paid by member institutions in proportion to their size. This new system should be incorporated in any new Law on Higher Education.

Recommendation 7(c):

These same Serbian authorities should encourage the development of a closer and fuller relationship between the Conference of Universities and the Conference of Academies and Colleges of Applied Studies.

Recommendation 7(d):

The Conference of Universities should further clarify the respective roles of the Rectors' Council and the full Assembly, particularly to ensure that maximum effective use is made of the full Assembly, in a way which adds value to the work of the Rectors' Council.

Recommendation 8:

The Government of Serbia should continue to support and develop the legislative, representative and supervisory roles of the Committee on Education, Science, Technological Development and Information Society of the National Assembly of the Republic of Serbia, as important means of ensuring democratic input and scrutiny of policy initiatives for HE.

Recommendation 9(a):

The senior leadership of public HEIs should ensure the Students' Parliaments are adequately supported (both in terms of moral and practical support) to allow them to complete their important role in HEI governance and quality assurance systems.

Recommendation 9(b):

The Government of Serbia and MESTD should explore with the relevant bodies (the National Council for Higher Education, the Conference of Universities of Serbia and the Conference of Academies and Colleges of Applied Studies) how a system of sabbaticals for senior student representatives can be introduced and funded.

Recommendation 9(c):

The senior leadership and all relevant staff of each HEI should ensure that the mandatory ethical programme for new undergraduates explains the role of student representation, and stresses the supportive HEI ethos necessary if such representation is to work best.

Recommendation 10(a):

The Government of Serbia and the National Assembly should ensure that a new Law on Higher Education, incorporating the various inclusions suggested in other Recommendations within this Baseline Assessment, is passed as soon as possible.

Recommendation 10(b):

The relevant Serbian authorities (the Government of Serbia, MESTD, the National Assembly, the National Council for Higher Education, the Conference of Universities, and senior University leaders), together with the wider Serbian HE community, should engage in a national dialogue to develop and establish a governance framework for HE which avoids the need for excessive reliance on a single 'mechanistic' and narrowing national Law as the instrument for achieving progressive change and development.

5 - STRUCTURAL (AND SOME ASSOCIATED QUALITY) ISSUES FOR HIGHER EDUCATION INSTITUTIONS (HEIs), PRINCIPALLY THE PUBLIC HEIs

The Structural Framework of the Serbian HE System: Background Statistics

5.1. Serbia is a country with a population of 7.2M. As already mentioned earlier in par.4.4.3, there are 251,162 HE students in total, with 177,352 at the public Universities, 28,203 at the private Universities, 41,467 at the public Colleges, and 4,140 at the private Colleges.

There are 18 accredited Universities, 8 public (which are larger) and 10 private (which are smaller).

As has been discussed already, there have recently been some minor changes of terminology in describing 'non-University' HEIs, but the terms Academies of Applied Studies and Colleges of Applied Studies now seem to be used (see par.4.4.2 above). The 2012 Tempus Report on 'Higher Education in Serbia' mentions a total of 47 state-funded Colleges of Applied Studies and 17 private Colleges of Applied Studies. The Commission for Accreditation and Quality Assurance 'A Guide through Accredited

Institutions of Higher Education and Study Programmes in Serbia (April 2017) appears to list 65 'Colleges of Professional Studies' and also 5 'Colleges of Academic Studies'. The experts have not been able to access directly the student numbers of individual Colleges. Even although MESTD suggested all such data is available in MESTD databases, the experts were not able to access such data in English. However, they appreciate this may have been due to technical issues with the search engines they were using.

Some implications of the numbers of HEIs and HE students in Serbia will be discussed below.

Size of the University of Belgrade, including relative to other public Universities

5.2.1 The University of Belgrade is a very large University, 89,891 students in 2015-16 (and the experts were assured that this total is only actively-registered students, and does not include historical non-attenders). Within a country of 7.2M, and a total public University student population of 177,352 students, this seems a very large size of University indeed. Indeed, it seems very large even by international standards.

5.2.2 Clearly, as has already been emphasised (see par.1.1.4), the University of Belgrade has a very special historical status, and current standing, within the Serbian HE system.

5.2.3 However, it seems reasonable to raise the question of whether the University of Belgrade is simply too big. It could be argued that a University of this size must inevitably lead to an excessive concentration of academic talent (both staff and students) in one University, threatening the ability of other public Universities to attract the most talented staff and students, especially given the overall size of the talent pool in a country of Serbia's size. Figures provided in stakeholder responses since the original June Baseline Assessment indicate the following student numbers for the other public Universities: University of Novi Sad, 43,242; University of Nis, 20,586; University of Kragujevac, 15,042; University of Novi Pazar, 2,187; University of Arts, 2,777. Certainly, by international standards, these figures suggest only the University of Novi Pazar and the University of Arts seem below 'normal viability' size, and the experts recognise the special circumstances which can apply to 'Universities of Arts'. However, it appears to remain the fact in Serbia that a single University (the University of Belgrade) absorbs more than 50% of the total number of public University students, which is an 'unusual' situation by wider international comparisons. While the current discussion focuses on public Universities, there is also the separate issue of the small size of Serbia's private Universities. From figures provided in stakeholder responses since the original June Baseline Assessment, the largest private University appears to have 6,407 students, and four have less than 2,000 students.

The experts appreciate that discussion about the size of the University of Belgrade is a complex matter. For example, international comparisons can be particularly complex. In commenting on the original June Baseline Assessment, one distinguished senior Serbian stakeholder, the Rector of the University of Belgrade, made a range of

points about the large size of certain other Universities in the European Union, about University mergers elsewhere in the European Union, and about the size of Universities in other parts of the former Yugoslavia such as Croatia and Slovenia. The experts made a full response to these aspects of the Rector's feedback in a separate overall summary document on the approaches they had taken in responding to all Serbian stakeholder feedback and in revising the text of the Baseline Assessment. This response is too long to include here in the revised Baseline Assessment, but the experts would request that the full points in that response are considered in any future Serbian stakeholder discussions about the size of the University of Belgrade. The overall summary document including these full points has been made available to all Serbian stakeholders who commented on the June Baseline Assessment.

5.2.4 Returning to the previously discussed issue of the 'autonomy' of Faculties in the Serbian University system, this 'international anomaly' may also be a consequence of the University of Belgrade being too large (although the experts appreciate such Faculty 'autonomy' is not unique to Serbia, e.g. similar approaches also exist in Croatia and Slovenia, as previously discussed in par.4.2.1, 4.2.5, 4.2.7, 4.2.8 above). It may be easier to achieve a better balance between coherent and consistent central University leadership and management and the Faculties if the overall size of the University is reduced.

Non-University HEIs: Academies of Applied Studies and Colleges of Applied Studies: Size and Viability; Nature and Role; Quality

Size and Viability

5.3.1 Another quite distinctive feature of the Serbian HE system is the very large number of non-University HEIs (currently called Academies of Applied Studies and Colleges of Applied Studies) within the system. As indicated in par.5.1 above, there appear to be as many as 70 of these, with a total of 45,607 HE students. The experts have not been able to access directly the student numbers of individual Colleges. However, if 45,607 students in total attend Colleges, this suggests an average number of c.652 HE students per College.

5.3.2 Given that Serbia already has 8 public Universities, including with a good geographical spread across the country beyond Belgrade, it is hard to understand why a country of 7.2M should need so many additional HEIs. In particular, as will be discussed more fully below, it is very difficult to see how HEIs with such small numbers of HE students can be viable in terms of the range of HE student learning and teaching experiences, qualified staff, and associated research activity.

5.3.3 On the issue of viability, it is interesting to examine the Law on Higher Education.

In Chapter IV of the 2005 Law on Higher Education, Article 41 discusses the 'Work permit' issued by the Ministry to HEIs.

In the first translation made available to the experts, this included stipulations that

70% of all teaching staff for each subject should be full-time (50% for 'arts'), and that in academies of professional career studies and four-year colleges of professional careers (except in 'arts') 50% of the total number of the teaching staff for all years of study within study programmes should have doctorates.

In the second translation, this material has been moved forward to Article 16 (on Accreditation) within Chapter II, and the wording has been adjusted somewhat. The 'full-time' requirement is now worded that it is necessary to employ 'teachers on a full-time basis to administer 70% of active teaching classes in a study programme', and 'a minimum of 20 teachers employed on a full-time basis at a higher education institution'. The requirements on doctorates remains the same.

These requirements on staff with doctorates seem demanding for small non-University HEIs to meet within the academic talent pool likely to be available in a country of Serbia's size.

In this context, it may be significant, and also of concern, that these references to requirements on staff doctorates do not seem to appear in the version of the new Draft Law made available to the experts.

Nature and Role

5.3.4 It is also difficult to clarify the role of the non-University HEIs in the overall HE system. The Law on Higher Education is only of partial help here.

In the 2005 Law on Higher Education, definitions of HEIs are dealt with in Chapter IV. From Articles 32 to 37, five types of HEIs are listed and described: University; Faculty or Academy of Arts; Academy of Professional Career Studies (described in the second translation as Academy of Applied Studies); Four-Year College (described in the second translation simply as College); Four-Year Colleges of Professional Career Studies (described in the second translation as College of Applied Studies). Article 38 also refers to 'Research institutes and other scientific research institutions' which may be 'attached to' universities.

Research institutes and scientific research institutions will be returned below (see par.5.5.1-5.5.4). The discussion of other non-University HEIs now uses the terms Academies of Applied Studies and Colleges of Applied Studies.

Before discussing non-University HEIs, Article 33 states that a University must have 'all types and levels of study course' and 'at least in three areas or fields' (or 'three areas of the arts' in the field of arts). This clearly links University status to the provision of Doctoral studies.

Article 34 indicates that a Faculty or Academy of Arts can be either a separate HEI, or a 'unit' within a University. The position on Doctoral studies for these institutions is not made clear.

Article 35, as more fully expressed in the second translation, distinguishes an Academy of Applied Studies from a University because an Academy will only offer programmes at first and second cycle (bachelor and master), and these will only be in 'applied studies'. On the other hand, the 'single education process' at an Academy should include 'scientific research'. An Academy should have at least five accredited study programmes of applied studies in at least two fields (the first translation had stated 'three fields').

Article 36 (second translation) simply describes a College as implementing 'undergraduate/bachelor academic studies, specialist and master academic studies in one or more areas'. Article 37 (second translation) describes a College of Applied Studies as 'implementing undergraduate/bachelor applied studies, master applied studies and specialist applied studies in one or more areas'.

Comparison of Article 35 with Articles 36 and 37 seems to suggest that an Academy may have more specific obligations on research than a 'College', but this is not completely clear or developed. Therefore, at the time of writing the original report, the full distinction between an Academy and a College was not clear.

Similarly, while each of Articles 35, 36 and 37 use the term 'applied studies' (and Article 36 also explicitly mentions 'academic studies'), no underlying definition is offered of the meaning of 'applied studies', and how these are to be distinguished from 'academic studies'.

The equivalent Articles in the new Draft Law (Articles 46, 47 and 48) do not address or resolve these issues any further.

5.3.5 Review of the 'Strategy for Education Development in Serbia 2020' and the 'Action Plan for Implementation of the Strategy for Development of Education in the Republic of Serbia by the Year 2020' does not seem to provide further significant clarity on these issues about the nature and role of the non-University HEIs. Certainly, the 'Strategy' does discuss aspects of the need for further development of vocational HE (see pp.168-9, 172-3), and the 'Action Plan' lists 7 specific 'Actions' on vocational education within HE (see pp.5-6 and 28-29). However, although the 'Strategy' contains an overarching statement on the 'mission' of 'vocational studies' (at p.163), and a parallel overarching statement on the 'mission' of 'academic studies' (at p.130), these do not clarify exactly what the underlying difference between the two types of studies is meant to be, e.g. whether pursuing 'academic studies' is meant to be the defining purpose of the Universities in Serbia, and pursuing 'vocational studies' the defining purpose of the 'non-University' HEIs. Additionally, the situation is further complicated by the use of 'applied studies' in describing 'non-University' HEIs. Again, at the time of writing, it was not clear if 'applied studies' was simply intended to mean the same as 'vocational studies'.

Quality

5.3.6 In attempting to judge the overall position and quality of the 'non-University' HEIs, mixed views seem to be expressed at senior national level within the Serbian HE community. It was indicated that these institutions are obliged to 'follow' the National Council for Higher Education. The National Council does not discriminate between the Colleges and the Universities, and the criteria for appointing College staff are also set by the National Council. On the other hand, there were suggestions that there are problems with the Colleges, including around the quality of their degrees and the subsequent recruitment of their graduates. (see par.5.4.2 below).

Summary Comments on non-University HEIs

5.3.7 Given that Serbia already has 8 public Universities, including with a good geographical spread across the country beyond Belgrade, it is hard to understand why a country of 7.8M should need so many additional non-University HEIs.

All of these Academies of Applied Sciences and Colleges of Applied Sciences are supposed to be able to offer provision up to, and including, second cycle Masters. However, it seems reasonable to raise questions about the true viability of so many such HEIs. These questions include asking about the availability of sufficient qualified staff, particularly to provide the research capacity to underpin research-based/research-informed teaching, and asking whether these institutions have enough student numbers to provide a full HE experience for their students.

The underlying definition of 'applied studies' is also not clear, nor is the difference between Academies and Colleges.

Finally, the relationship between the non-University HEIs and the Universities seems insufficiently developed. More generally, there is a sense that non-University HEIs are somewhat marginalised within the HE system, rather 'forgotten' and seen as 'second-class'.

An Overall Hierarchy of Quality within the Serbian HE System

5.4.1 In some discussions at senior national level within the Serbian HE community, a deeper issue seemed to emerge around the 'quality' relationships between different institutions and types of institutions within the HE system. There was talk about well-established 'serious' universities, particularly the University of Belgrade with its 'impressive' Shanghai listing (e.g., comparable to Charles University, Prague). Specific positive comments were also made on other public Universities, e.g. about the Universities of Novi Sad and Nis in particular. On the other hand, more negative comments were made about other aspects of the system. It was suggested that there are quality issues with some private Universities, where accreditation procedures have not been 'tight enough'. However, there were also comments that some private Universities perform well, and, while public Universities generally perform well, it is not simply a case of public Universities being 'good' and private Universities being 'bad'. (Indeed, in subsequent correspondence, a more nuanced picture has been suggested with it being argued that in some particular subject areas some private provision outperforms that of the public universities.) On the other hand, it was claimed some students doing badly at 'serious' public Universities do transfer to private Universities

5.4.2 A particularly interesting suggestion was that there are specific quality issues around progression of University graduates to public sector employment. It was claimed by one respondent that the 'best' graduates are recruited by the private sector. The argument is that 'poor quality' graduates enter public sector employment because of personal or political connections, despite having degrees from public Universities within which they have graduated with 'low grades', or having obtained 'low quality' degrees from private Universities because they have not been able to achieve degrees at public Universities. This was said to create problems for the public sector,

which needs reform to remove the influence of political party and family connections on recruitment. In par.5.3.6 above, mention has already been made linking the Colleges to these issues.

5.4.3 These arguments would suggest a strict ‘hierarchy of status’ in Serbian HE, with the University of Belgrade ‘far ahead’ of the rest, followed by some of the other public Universities, then followed by the rest of the public Universities, probably then followed by some of the private Universities, followed by the rest of the private Universities, and probably with the ‘non-University’ Academies and Colleges ‘trailing’ at the end. On these arguments, the ‘hierarchy of status’ of institutions is broadly matched by a ‘hierarchy’ of quality of graduates and their employment destinations. If there is such a ‘hierarchy of status and quality’ between Serbian HEIs, there seems an imperative for national dialogue and action to achieve more parity of quality between Serbian HEIs, including greater parity of esteem for different HEIs. Of course, such greater parity should be based on raising all HEIs as close as possible to the quality of the most highly-regarded institutions. The experts also appreciate that ‘complete’ parity of status and quality can never be achieved in any HE system, and all systems have some degree of ‘hierarchy of status and quality’, particularly with the prevalent use of international and national rankings’ tables. However, the experts are suggesting that the Serbian system may wish to reflect on achieving ‘more’ parity of status and quality. For example, the experts continue to have specific concerns about the status and quality of the very large number of ‘non-University’ HEIs within the Serbian system.

Position on Research

5.5.1 As another aspect of HEI structure in Serbia, it is important to examine the relationship between the HEIs and research. In particular, from a general European perspective, it is relevant to establish how far research is fully integrated into the University and HEI sector, thus ensuring that all staff can engage appropriately in research to enable them to deliver research-based/research-informed teaching. From work in other countries, the experts are fully aware of, and fully respect, the specific traditions of HE systems with a significant period in their 20th Century history of the Communist approaches based on Academies of Science and separate research institutes. In such countries, they are also conscious that the continuation of these traditions can carry risks of separating research from HE teaching and student learning. As will be discussed in par.5.5.2 below, in reviewing certain Serbian documents for the original June Baseline Assessment, the experts thought they had detected some evidence of such approaches in Serbia. However, while par.5.5.2 has not been completely removed from the revised Baseline Assessment, the experts wish to emphasise that they are now approaching these research issues fully informed by the stakeholder feedback provided on the June Baseline Assessment by senior Serbian stakeholders, especially the Rector of the University of Belgrade, himself a distinguished researcher. This feedback has emphasised that the historical tradition in Serbia, including during the period of Communist Yugoslavia, has always been for research to be very much integrated into the Universities, rather than

essentially progressed through a separate Academies of Science and separate research institutes approach.

Evidence from Documents

5.5.2 In Chapter I of the 2005 Law on Higher Education, at Article 4, one of the principles of higher education is stated as 'unity of teaching and scientific research and/or artistic work'.

However, some other aspects of the Law are less clear on the 'unity of teaching and research', and generally references to research in the Law on Higher Education are quite limited.

In Chapter IV of the 2005 Law, Article 38 (second translation) states that a University 'may have research institutes and other scientific research institutions as part thereof' (the first translation had said 'attached to it'). This Article also states that such institutes or institutions 'may implement a part of the accredited study programme for master academic studies and doctoral studies at the university'. This seems positive on the inclusion of research within the Universities. On the other hand, in the new Draft Law on Higher Education, Article 65 in Chapter VI refers to the 'professional authority' of an institute within a University as being the 'Research Council'. This could be taken to suggest a 'separation' of research institutes from the other academic governance of the University.

Beyond the Universities, the Law also re-emphasises the issue of where the non-University HEIs stand on research. In Chapter V of the 2005 Law, Article 49 states that 'A university shall engage in scientific research and artistic work', but reference to 'any other higher education institution' is only in the context of founding 'technology transfer centres' etc. in relation to commercialising the outcomes of scientific research etc. This seems to give less significance to 'non-University' HEIs in the research context.

There is also a separate document 'Research for Innovation: Strategy on Scientific and Technological Development of the Republic of Serbia for the Period 2016-2020'. In looking at overall national strategy on research, the document seems to make clear that Universities have a role, but 'research institutes, Serbian Academy of Sciences and Arts and Matica Srpska' are also very significant (see p.9). In a long list of relevant national bodies, Serbian Academy of Sciences and Arts and Matica Srpska are mentioned again, as well as the National Council for Scientific and Technological Development, the Committee for Accreditation of Scientific Research Organisations, the Committee for Acquiring Scientific Titles, Scientific Committees, the Committee for Ethics in Science, all of which are mentioned before the National Council for Higher Education (see p.29). All of this suggests many locations of influence on research apart from the HEI sector.

However, as emphasised in par.5.5.1 above, the experts recognise that any such comments should now be viewed as relatively narrow points about where particular documents may not seem as completely clear as possible in presenting the realities of the Serbian research environment, which the experts now accept from feedback very much integrates research into the Universities.

Evidence from Meetings

5.5.3 The experts met with senior staff from four public Universities, three Rectors (including the President of the Rectors' Conference) and one other senior member of staff (the President of a University Quality Board). In relation to research development, it was suggested that the new Draft Law on Higher Education would stipulate that one of the two reviewers for the accreditation of Doctorate study programmes must be from outside the country. However, this is a narrow procedural point about Doctorate study, and limited time did not give the experts the opportunity to explore broader aspects of research strategy with the senior staff at this meeting.

Summary Comments on Evidence from Documents and Meetings

5.5.4 Although individual national documents may not always make this completely clear, senior Serbian stakeholders emphasise that Serbian tradition and current practice very much integrates research into the Universities. Of course, as with all national HE systems, it will be very important for Serbian HE stakeholders to ensure that all academic staff have appropriate opportunities to develop research activity to underpin their teaching, so that students receive high quality research-based/research-informed teaching and learning experiences in all their courses. Moving beyond the Universities, there are also heightened questions about research capacity in the Academies and Colleges of Applied Studies, as discussed earlier.

Recommendations from Section 5 (on Structural (and some associated Quality) Issues for Higher Education Institutions (HEIs), principally the public HEIs)

Recommendation 11:

The relevant Serbian authorities (the Government of Serbia, MESTD, the National Council for Higher Education, the Conference of Universities of Serbia, senior leadership at the University of Belgrade and other public Universities) should continue previously begun discussions, in a full and open manner, on whether the University of Belgrade is too large, including relative to the overall size of the Serbian University system.

This discussion should include consideration of whether the current size of the University of Belgrade leads to an excessive concentration of academic talent (both staff and students) in one University, threatening the ability of other public Universities to attract the most talented staff and students.

This discussion should also include consideration of whether it may be easier to achieve a better balance between coherent and consistent central University leadership and management and the Faculties in the University of Belgrade, if the overall size of the University is reduced.

This discussion should certainly include consideration of international comparisons, but these international comparisons should be as comprehensive as possible, giving full recognition to the complexities involved.

Recommendation 12(a):

The relevant Serbian authorities (the Government of Serbia, MESTD, the National Council for Higher Education, the Conference of Academies and Colleges of Applied Studies, the senior leadership of the Academies and Colleges of Applied Studies) should engage in a full and open discussion on the genuine viability of having so many ‘non-University’ HEIs (i.e., Academies and Colleges of Applied Studies).

This discussion should include considering whether the national HE system has the capacity to provide sufficient qualified staff for so many ‘non-University’ HEIs, particularly to provide a research base to underpin research-based/research-informed teaching up to, and including, second cycle Masters.

This discussion should also include asking whether these individual institutions have enough students to provide a full HE experience for their students.

Recommendation 12(b):

The relevant Serbian authorities (the Government of Serbia, MESTD, the National Assembly, the National Council for Higher Education, the Conference of Academies and Colleges of Applied Studies, the senior leadership of the Academies and Colleges of Applied Studies) should consider carefully what position will be taken in the new Law on Higher Education on the issue of requiring doctorates for academic staff in ‘non-University’ HEIs such as Academies and Colleges of Applied Studies.

Consideration will need to be given to the balance between setting the highest standards for staffing criteria, and the realities of the scale of the academic talent pool available in a country of Serbia’s size.

Recommendation 12(c):

These same Serbian authorities should engage in a wide and open discussion to expand fully on what underlying definition of ‘applied studies’ is being used, in contrast with ‘academic studies’, to explain the nature and purpose of Academies and Colleges of ‘Applied Studies’.

This full underlying definition should then be incorporated in appropriate Articles within the new Law on Higher Education.

Recommendation 12(d):

These same Serbian authorities should also engage in a wide and open discussion to clarify exactly what the difference is between an ‘Academy’ of Applied Studies and a ‘College’ of Applied Studies. This discussion should include indicating clearly and fully whether there will be differences in specific obligations on research between Academies and Colleges. The discussion should also address whether the distinction between Academies and Colleges is actually necessary and helpful.

The outcomes of this discussion should then be incorporated in appropriate Articles within the new Law on Higher Education.

Recommendation 13:

The relevant Serbian Authorities (the Government of Serbia, MESTD, the National Council for Higher Education, the Conference of Universities of Serbia, the Conference of Academies and Colleges of Applied Studies, the senior leadership of the Universities and the Academies and Colleges of Applied Studies) should strengthen the relationship between the non-University HEIs (the Academies and Colleges of Applied Studies) and the Universities, particularly to avoid any sense that the non-University HEIs are somewhat marginalised within the HE system, rather 'forgotten' and seen as 'second-class'.

Recommendation 14(a):

The relevant Serbian authorities (the Government of Serbia, MESTD, the National Council for Higher Education, the Conference of Universities of Serbia, and the senior leadership of the Universities) should engage in discussion to ensure that the Serbian system's tradition and current practice of full integration of research into the Universities is progressed in a way which ensures that all academic staff have appropriate opportunities to develop research activity to underpin their teaching, so that students receive high quality research-based/research-informed teaching and learning experiences in all their courses.

Recommendation 14(b):

Moving beyond the Universities, the relevant Serbian authorities (the Government of Serbia, MESTD, the National Council for Higher Education, the Conference of Academies and Colleges of Applied Studies, the senior leadership of the Academies and Colleges of Applied Studies) should engage in specific discussion to address the particular challenges in the Academies and Colleges of Applied Studies achieving the research capacity necessary to deliver high quality research-based/research-informed teaching and learning experiences, up to and including second cycle Masters.

Recommendation 15:

The relevant Serbian authorities (the Government of Serbia, MESTD, the National Assembly, the National Council for Higher Education, the Conference of Universities of Serbia, the Conference of Academies and Colleges of Applied Studies, the senior leadership of Universities, the senior leadership of the Academies and Colleges of Applied Studies) should develop an inclusive national conversation to discuss whether there is a need to achieve more parity in quality across Serbian HEIs, including greater parity of esteem for different HEIs, and greater parity in the quality of graduates and their employment destinations. Of course, such parity should be based on raising all HEIs as close as possible to the quality of the most highly-regarded institutions.

6 - INTEGRITY ISSUES AND THE UNIVERSITIES

Plagiarism in Ph.D.s

6.1.1 The first topic on integrity in the public Universities which was often raised in meetings is the issues around plagiarism in Ph.D.s.

Evidence from Meetings

6.1.2 In the meeting with the Ministry of Education, Science and Technological Development (the Assistant Minister for Higher Education and senior staff), the Assistant Minister for Higher Education referred to a national repository of Ph.D. theses in Serbia and stated that the Law on Higher Education had been amended in 2014 to require Universities to keep all Doctoral dissertations in their own or the national repository. In subsequent communications, a senior representative of the University of Novi Sad also gave high praise to the NARDUS national repository of Ph.D. theses as a 'great example of transparency'.

6.1.3 The experts met with senior staff from four public Universities, three Rectors (including the President of the Rectors' Conference) and one other senior member of staff (the President of a University Quality Board). In relation to academic integrity, the initial point made was about the introduction of mandatory access to Ph.D. theses, started at the University of Belgrade in 2011. The University of Belgrade is also a member of an European Repository. The University of Novi Sad referred to the 2005 Law seeking 'foreign reviewers' of Ph.D. study programmes which implied the writing of theses in English, but a limited number of current theses are in English. Reference was made to a previous Tempus Project on a 'Regional Platform on Co-operation in HE and Research', which produced a list of experts from other neighbouring countries who could be external assessors for Ph.D. theses.

6.1.4 Views expressed from meeting senior international organisation staff included the judgement that Ph.D. plagiarism had been a major issue, but procedures for dealing with this had firmed up in recent years. It was argued that HE does not have a greater problem than the rest of society around such issues, where there may be particular risks of potential plagiarism if Ph.D.s are sought essentially to enhance political and social prestige. The importance of involving overseas experts in Ph.D. assessment was also emphasised. This had been suggested in the past, but is not currently a requirement.

6.1.5 Views expressed in meeting with senior staff from the NGO sector also highlighted the risks of potential plagiarism if Ph.D.s are sought for reasons of political and social prestige.

Some Concluding Comments on Plagiarism in Ph.D.s

6.1.6 It is noteworthy that most initial discussions with Serbian stakeholders on integrity in HE focused on issues around plagiarism in Ph.D.s. Of course, this is a very

important topic, and clearly very significant efforts are being made to address such issues.

However, the experts judge that there was some significant tendency for discussions with certain stakeholders to focus almost **exclusively** on these issues relating to Ph.D.s..

While the achievement of Ph.D.s is, of course, very important, especially for those wishing to enter an academic career, the majority of students' HE experiences will be at first and second cycle levels (Bachelors and Masters). It is therefore crucial that discussion of integrity, including plagiarism, widens to give appropriate focus to first and second cycle student experiences.

Indeed, it may also be important to question whether there is a wider 'over-obsession' with acquiring Ph.D.s for perceived political and social status, rather than for more purely academic motivations. Of course, if this is an issue, it is not a problem restricted only to Serbia.

Integrity in the Wider Relationship between HE Academic Staff and Students over Teaching, Learning and Assessment

6.2.1 It is important to look at integrity in the wider relationships between HE academic staff and students over teaching, learning and assessment. 'Vulgar corruption' is the term sometimes used internationally to describe systemic abuses of integrity in these relationships.

Such systemic abuses found in other HE systems can include widespread incidences of lecturers seeking bribes or other favours, and students offering bribes and favours. They can also include students engaging in widespread cheating in examinations and other assessments, and academic staff colluding in such cheating. These abuses can also include practices such as academic staff insisting students buy textbooks written by themselves, and academic staff requiring students to attend additional classes for personal payment, either as a condition for passing assessments, or because course content has been deliberately held back from normal timetabled classes to be covered only in the paid additional classes.

Evidence from Documents

6.2.2 The 2005 Law on Higher Education specifies as part of Article 55 that Codes of Professional Ethics will explicitly deal with how to ensure positive relations between teachers and associates, other employees and students.

This requirement is then again continued in Article 65 of the new Draft Law on Higher Education.

6.2.3 The National Council for Higher Education in its publication the 'Basis for the Code of Academic Integrity at Higher Education Institutions in the Republic of Serbia' (October 2016) has provided in Section 24 specific guidance on its expectations

regarding members of the academic community not demanding or accepting presents or favours, if there can be a presumption that through this any influence will be exerted on their objectivity or fulfilment of professional obligations.

6.2.4 As mentioned further in par.6.3.6, an example of one such Code, the Code of Integrity of the University of Novi Sad (2017), was considered. In Article 7 it states that 'the evaluation of the work and activities of students [must] be open, just, objective and timely' and in Article 22 that the 'Members of academic community shall not create unethical interest-based relationships with persons who might influence their impartiality, and if such a relationship already exists they shall be obliged to remove it.'

6.2.5 The Anti-Corruption Agency, in a paper provided to the authors 'Identifying risk areas in higher education institutions – first cycle of integrity plans', suggested various possible risk areas, one of which was the 'Examination and evaluation of knowledge'. Regarding this, the paper raises concerns about the use of one-on-one oral examinations, the use of electronic devices in examinations, and a possible lack of consistency in how assessments are handled across institutions. It suggests that there is a need for measures to protect whistleblower students and it also advocates that there should be greater emphasis on written examinations rather than oral examinations.

6.2.6 The 2012 OECD Report 'Strengthening Integrity and Fighting Corruption in Serbia' had raised a number of concerns threatening integrity in the relationship between academic staff and students over teaching, learning and assessment. The Report was critical of the strong reliance on one-on-one exams. It also stressed the need for there to be greater standardisation of assessments to ensure greater institutional consistency in student assessment and grading.

Summary Comment on Evidence from Documents

6.2.7 However, since then, documents summarised above indicate that good work has been done in developing Codes of Integrity in Serbia. The Anti-Corruption Agency is also a very positive part of the national system in highlighting issues on which a continuing focus is required.

Evidence from Meetings

6.2.8 In the meeting with the Ministry of Education, Science and Technological Development (the Assistant Minister for Higher Education and senior staff), the Ministry acknowledged the reliance on one-on-one oral examinations.

6.2.9 In the meeting with representatives of the Students' Conference of Universities of Serbia (the President and the Secretary General), the two representatives had no great concerns about matters of vulgar corruption affecting integrity in the relationship between academic staff and students over teaching, learning and assessment.

6.2.10 In the meeting with student representatives of the Students' Parliament of the University of Belgrade, these representatives from the University of Belgrade had greater concerns but stressed that much of what worried them was through unconfirmed stories and gossip.

They were reconciled to the one-on-one examination system and stressed that there are always witnesses present to ensure 'fair play' between the examiner and the student being examined.

The use of electronic devices in examinations did concern them, particularly in any large exams where perhaps three invigilators supervised 300 students, so spotting such conduct was difficult to detect. More worryingly, they claimed that electronic jamming equipment, which was available, was not being used in the Universities as its use was seen to be in contravention of the electronic communications law. If this were to be true, it would be a perverse notion that effectively could be seen as condoning cheating.

6.2.11 In meeting with senior international organization staff, the consistency of how assessments were handled across and between Faculties was raised as an issue of concern and it was argued that there is a need for far greater University involvement to ensure that students are being treated equitably across institutions.

6.2.12 In the meeting with the Anti-Corruption Agency, regarding integrity in the overall relationship between academic staff and students over teaching, learning and assessment, the senior staff of the Anti-Corruption Agency highlighted their concerns from the first cycle of integrity planning about student examinations. Their criticism centred around a lack of transparency in the relevant processes in the Universities.

6.2.13 In the meeting with senior staff from the public Universities, those present were clearly aware of the issues and endeavoured to be reassuring that the scale of any problems is small, with few complaints being made. One University commented that for oral one-on-one examinations there are always at least three student 'witnesses' present and that, while there had been ten complaints in the last five years, they had all been about the marks allocated rather than about any procedural violation of the process.

Summary Comments on Evidence from Meetings

6.2.14 It appeared that any threat from 'vulgar corruption' to integrity in the wider relationship between HE academic staff and students over teaching, learning and assessment is not a major concern within the Serbian HE system. While various matters were mentioned, no overwhelming concerns were raised. Much of what was reported was 'stories' or 'rumours', so it appears that there are no endemic or systemic problems.

However, the comments on cheating through the use of electronic devices in examinations should not be ignored.

Codes of Professional Ethics/Codes of Integrity

6.3.1 One fundamental method of ensuring the highest possible integrity on all aspects of HE, including on plagiarism in Ph.D.s, but more broadly on the wider relationship between academic staff and students over teaching, learning and assessment, is through the use of Codes of Professional Ethics/Codes of Integrity.

Evidence from Documents

6.3.2 The 2005 Law on Higher Education specifies as part of Article 55 that the professional authority of Universities will adopt a Code of Professional Ethics establishing: the ethical principles in higher education; the publication of scientific results; the treatment of intellectual property; relations between teachers and associates, other employees and students; acts of a higher education institution and teachers, associates and students in legal transactions, and in the attitude towards the public and the media.

This requirement is continued in Article 65 of the new Draft Law on Higher Education.

6.3.3 The 'Strategy for Education Development in Serbia 2020' (2012), in the section on a 'Common Framework for Higher Education Development' states that as part of Quality Assurance and Control 'The system needs to incorporate ethical norms and principles, adopt a code of ethics of research and higher education.' (p123) It then continues this idea in 'The Strategy for Achieving the Vision - Policy, Actions and Measures', giving the same idea as a specific Strategic Objective. (p160)

6.3.4 The associated 'Action Plan for the Implementation of the Strategy for Development of Education in the Republic of Serbia by the Year 2020' gives the 'Establishment of a Code of Ethics' as one of the specific instruments for the implementation (p34), with a start date of February 2015 and a completion date of January 2016.

6.3.5 The National Council for Higher Education in its publication the 'Basis for the Code of Academic Integrity at Higher Education Institutions in the Republic of Serbia' (October 2016) has provided requirements, advice and guidance for all HEIs regarding such Codes.

It sets out basic obligations and identifies who is to be covered - all members of the academic community, teaching and scientific staff, students, non-teaching staff as well as anyone else who takes part in the work of a HEI. The various authorities within an HEI are obliged 'to ensure the realisation and advancement of ethical standards with the institution (p1). The document states that the law has overall precedence but stresses an institutional obligation to familiarise students, particularly at the beginning of their studies, with the rules of academic integrity, including referencing, giving citations and paraphrasing. It specifies the obligations on academic staff in their work including ensuring that examinations and examination preparation are fair, and do not bring staff any private material or other gain. The document specifically deals with the originality of work, including issues of plagiarism or false authorship. The seeking or accepting of any presents or favours by members of the academic

community is proscribed, if there might be any presumption that this will influence their objectivity or fulfilling of their professional obligations.

Members of the academic community are obliged to exert influence on curbing any attempts at corruption in HE. Conflicts of interest are very clearly delineated. Discrimination is prohibited. The procedures to be adopted by institutions for the consideration of any matters of integrity are spelled out, as are the potential sanctions to be applied.

In summary, this is a very useful document.

6.3.6 As an example of one such Code, the Code of Integrity of the University of Novi Sad (2017) was considered. It very closely followed the National Council's plan as outlined above.

6.3.7 The 2012 OECD Report on 'Strengthening Integrity and Fighting Corruption in Education – Serbia' noted that a 'lack of clarity and oversight on the behaviour of staff creates a difficult situation for the majority who are working in a transparent and professional manner' (p92). The active use of Codes of Integrity should help to address this criticism.

Evidence from Meetings

6.3.8 In the meeting with the Ministry of Education, Science and Technological Development (the Assistant Minister for Higher Education and senior staff), the role of the National Council for Higher Education in the establishment of Codes of Integrity was highlighted and it was stated that all institutions had been in the process of revising their Codes over the last few months, both at University and Faculty levels. It was suggested that the new Draft Law on Higher Education would include requirements for the development of a student Code, and it was stressed how important it is to educate students that it is not necessary to cheat to achieve results. Strong emphasis was put on the importance of students actively participating in the development and implementation of such a Code.

6.3.9 In the meeting with the representatives of the Students' Conference of the Universities of Serbia (the President and the Secretary General), these representatives welcomed the review of Codes of Integrity but noted that there was not much student involvement in such developments at a national level.

6.3.10 When meeting with the President of the National Council for Higher Education, the President described how the fundamentals for Codes of Integrity were developed and disseminated by the National Council for use in all HEIs, and stressed that it was then up to the Universities to put together their own Codes. The most likely pattern would be a University-level Code of Integrity (and associated Integrity Commission to deal with any cases of violations) but because of the Faculty system some Faculties would have their own Codes (which, of course, must be consistent with the overall

University Code) and their own Commissions (with, of course, final 'second-level' decisions being made by the overall University Commission).

6.3.11 In the meeting with the student representatives of the Students' Parliament of the University of Belgrade, these student representatives commented that they were aware of rules and regulations covering institutional expectations of their behaviour in such matters as not using electronic devices in exams, but they also highlighted that there was uncertainty about just what constituted plagiarism, and hence would welcome greater guidance. The idea of an Ethical Code for Students was welcomed and they suggested there was a need for mandatory classes for all students on ethical issues. Again the Faculty/University issue was raised but what was stressed was the need for more work on ethics to be done and actively put into practice.

6.3.12 In the meeting with the Secretary General of the Conference of Universities of Serbia, the Secretary General reported that only one public University is fully integrated and that in the rest of the Universities the Faculties have the status of separate legal entities. As such, some ethical issues can be decentralised to the Faculties and Codes of Integrity would be found at that level, as would be Ethical Commissions. However, the place of the University-level Ethical Code and the University-level Ethical Commission is also important, e.g. as at the University of Belgrade. The role of students in the recent revision of the Code of Integrity in the University of Belgrade was explained. There had been a student on the University-level working group and students were also represented on Senate, which had been required to approve the new proposals. There is also a Vice Rector for Students (a student) who had been involved in the process.

6.3.13 In meeting with senior international organization staff, awareness was shown of the recent exercise in revising Codes of Integrity and this was welcomed. The view was taken that integrity needs ongoing work to address various issues such as plagiarism and cheating, which are not seen as systemic issues but are still of significance when they occasionally happened. It was suggested that all new undergraduates should have to take a mandatory ethics programme which deals with issues such as plagiarism.

6.3.14 In contradiction to what had been suggested by the Conference of the Universities of Serbia, the senior staff met from the public Universities (three Rectors and one other senior member of staff) suggested that the normal pattern would be for there to be a University-level Code of Integrity. While there would be an associated Ethical Commission at that level, there would also be Faculty-level Ethical Commissions - indeed it was suggested that these might go down as far as Subject level.

Summary Comments on Evidence from Meetings

6.3.15 Various contradictions emerged in how Codes were being developed and used over the University system, at least in part because of the Faculty/University issue, but there was consensus that more could and should be done to address the ethical issues faced by both staff and students.

Academic Staffing, including Link to Existing Law, Appointments to Posts

6.4.1 Issues of integrity in relation to academic staffing in the public Universities were also explored.

Evidence from Documents: The Law on Higher Education

6.4.2 The 2005 Law on Higher Education covers the appointment of senior posts In Chapter VI, Article 54, which states that Rectors of Universities, Presidents and Heads of Colleges, and Deans of Faculties will be elected from among the permanent full-time teaching staff of the HEI for three years, with the possibility of a second three-year term. In the new Draft Law, Chapter VI, Article 64 extends the terms for these posts to four years, and refers to a new appointment of a University 'manager'. Generally, therefore, the new Draft Law sustains an apparently open system of senior appointments, although it will be important to ensure that University managers 'support' senior academic leaders, rather than gain power over them.

The 2005 Law then gives considerable details on the various posts in HEIs, covering criteria and method for appointment.

- In Chapter VIII, at Article 63 in the first translation, there are details of the different 'ranks of teachers' in HEIs, listing lecturer, professor of professional career studies, docent, associate professor and full professor, and it is also indicated that lecturers and professors of professional career studies may only teach professional career courses, with teaching 'all types of studies' restricted to the ranks of docent, associate professor and full professor. In the second translation, the title of docent is not used, apparently replaced by the term assistant professor, and lecturers and professors of professional career studies are now described as lecturers and professors of applied studies
- Article 64 specifies the requirements to be 'elected' to the various 'ranks'. For example, a Ph.D. is required to become a professor of professional career studies (now professor of applied studies in the second translation). A Ph.D. and published papers are required to become an assistant professor (this post had been mentioned as docent in the first translation). Further stipulations are made about the quality of publications etc. required to become an associate professor, and still further stipulations are made about the quality and quantity of publications etc. required to become a full professor.
- Article 65 deals with some further details of how individuals will be 'elected' to posts, including the announcement of a 'competition' and the respective roles of faculties and 'other higher education units' in universities, and the Academy

of Professional Career Studies and four-year colleges for posts in 'professional career studies' (in the second translation, these terms are changed to Academy of Applied Studies and colleges, lecturers and professors of applied studies). This Article confirms that contracts for lecturer, docent (now assistant professor) and associate professor will be for five years, and professor of professional career studies (now applied studies) or full professor will be for 'an indefinite period of time'. Article 65 also makes some reference to how assessment for posts may include involvement in the development of teaching methods and results of pedagogical work (including the opinion of students).

- Article 69 discusses the position of 'Researcher'. This Article indicates that 'researchers' may participate in teaching at 'doctoral academic studies', for which 'the institution shall enter into a temporary service agreement...for the teaching services' if the researcher is not already employed at the HEI.
- In the first translation, Articles 70-72 discuss the positions of associate teacher (open to certain masters or 'specialist studies' students for no longer than the duration of their studies) and assistant professor (open to certain doctoral students, or certain others in clinical subjects and arts, with 3-year contracts, and the possibility of extension for a further 3 years). In the second translation, these terms are changed to teaching assistant and assistant.
- In addition, in the second translation, details are added on 'Associates not employed by a higher education institution'. This appears to open up the possibility of certain students of second level and first level studies being used to assist 'in the teaching at the studies of the first level', not as actual employees of the institution, but on 'temporary service agreements'.
- In Chapter IX, Article 75 stipulates that a member of staff may only conclude a contract with another HEI if they have the prior approval of their own HEI's professional body/authority.
- Article 78 details aspects of the procedures for retirement of academic staff, which include the possibility of staff who reach retirement age of 65 continuing in certain roles for up to three additional academic years, or in some cases two.

In the new Draft Law on Higher Education, much of this detail is sustained, but there are some variations. As already indicated in par.4.7.2 earlier in the baseline assessment, in Chapter VIII, Article 73 introduces the 'rank' of 'senior lecturer'. Article 74 introduces some new terminology around appointment as senior lecturer, professor of applied studies, and assistant professor. Article 80 contains new discussion of 'Lecturer not employed by a higher education institution'. Article 82 introduces a new position of 'assistant holding a doctoral degree', and Article 85 expands on this post.

Summary Comments on Evidence from the Law on Higher Education

6.4.3 The current Law on Higher Education, and the new Draft Law on Higher Education, appear to set a relatively simple and transparent approach to the appointment of senior staff in HEIs.

On appointments to other posts, both the current Law and the new Draft Law provide

very considerable detail on the types of posts, the eligibility criteria for these posts, and the method for appointment to them. In providing this detail, and particularly in making some changes in titles of posts etc. in the new Draft Law, it will be important to produce a system which is transparent and widely understood, and not over-complex. Part of the purpose in providing the details from the current Law and the new Draft Law in par.6.4.2 above is to emphasise the potential for the legislation to be over-complex, and therefore to stress the need for only essential differentiation between academic posts.

It will also be particularly important to that there is robust clarity and transparency in applying the criteria for promotion which centre on quality and quantity of publication.

Evidence from Meetings

6.4.4 The experts met with senior staff from four public Universities, three Rectors (including the President of the Rectors' Conference) and one other senior member of staff (the President of a University Quality Board). When reference was made to a previous Tempus Project on a 'Regional Platform on Co-operation in HE and Research', which produced a list of experts from other neighbouring countries who could be external assessors for Ph.D. theses, it was also pointed out that these experts could be involved in selection of staff.

6.4.5 In meeting with senior international organisation staff, issues with HE staff appointments were highlighted. It was claimed that there were not open and transparent public calls for applications to posts. There would be 'restricted' public calls, which often then favoured 'interested families/individuals'. On the other hand, salaries can offer c.€2,000 per month, which could be attractive to overseas applicants. Full Professors select junior staff, sometimes with family connections, who do not face real competition. The overall Law on Higher Education has not addressed the 'public call' issue, although the National Council has addressed criteria for posts. However, it should be emphasised that these claims about appointment procedures and salary levels are not accepted by other stakeholders such as MESTD, and the Rectors of public Universities (e.g. the Rector of the University of Belgrade has indicated that the average salary of a full professor is c.€1,000 per month at most Faculties in the University of Belgrade).

6.4.6 In the meeting with senior staff from the NGO sector, comments were made on the general autonomy of Professors within Universities, e.g. autonomy to identify their assistants. Professors, especially Heads of Department, select who are to be involved in Tempus and Erasmus+ Projects. The claim was made that some Professors are attracted to these Projects because they can access high 'fees' etc rather than for positive, educational reasons. More generally, NGO staff argued there is a wide perception that Professors appoint 'mediocre' candidates to avoid 'looking bad' in comparison to more able junior colleagues. There is a general problem with a majority of staff not being promoted. These issues do not only centre on appointments made by Deans, but by 'independent' Professors more generally. On political connections, Professorial autonomy can actually provide a barrier to political influence, but

reference was also made to Deans signing letters in support of political parties at the last election.

NGO staff argued that bribery of academic staff 'was not even necessary' because University academic salaries were very high relative to other professional groups. They were higher than medical specialists and twice the level of high school teachers. The 'European level' of travel expenses and per diem expenses made activity within European-funded projects attractive, and these also gave good access to equipment. While private Universities may pay better, the overall package of prestige, salary, conditions, and time off made public Universities very attractive, especially the University of Belgrade, but also the public Universities in other communities.

Summary Comments on Evidence from Meetings

6.4.7 There appear to be issues around the transparency of the appointments process to academic posts. While criteria in the existing Law seem to be consistent and open, there are suggestions that there can be unacceptable variations in approaches between Faculties, and that these can lack transparency and be open to abuse.

A more fundamental suggestion was made that academic salaries, particularly at the University of Belgrade, are very high compared to other broadly comparable professions such as medicine and high school teaching. It was suggested that this gave an unacceptably 'privileged' position to these University academics, and attracted people to academic posts 'for the wrong reasons'. However, the experts have not been able to access official statistics to compare University salaries explicitly with other specific groups such as hospital doctors or high school teachers.

Recommendations from Section 6 (on Integrity Issues and the Universities)

Recommendation 16(a):

The relevant Serbian authorities (MESTD, the National Council for Higher Education, the Conference of Universities of Serbia, senior University leaders) should support the continuing development of the existing national repository of Ph.D. theses to supplement repositories of Ph.D. theses in individual Universities.

This should include full implementation of the mandatory requirement for all Ph.D. theses to be lodged in the appropriate repositories, and available on open access.

Recommendation 16(b):

These same Serbian authorities should develop policies and strategies to increase the number of Ph.D. theses produced in English.

Recommendation 16(c):

As soon as practicable, these same authorities should apply a requirement that overseas experts are involved in the assessment of all Ph.D. theses.

Recommendation 16(d):

These same Serbian authorities should engage in an inclusive national

dialogue on appropriate approaches to Ph.D. study. This dialogue should emphasise the importance of pursuing Ph.D. studies for academic motivations, based on integrity. This dialogue should also emphasise the dangers to academic integrity of an 'over-obsession' with acquiring Ph.D.s purely for perceived political or social status.

Recommendation 17(a):

While threats to the integrity of the one-to-one oral examination system in Serbian HE do not seem to be a cause of particular concern, the relevant Serbian authorities (MESTD, the National Council for Higher Education, the Conference of Universities of Serbia and the Conference of Academies and Colleges of Applied Studies, CAQA, and senior HEI leaders) should require all HEIs to reconsider their assessment methods, with a view to lessening the prevalence of this type of assessment, moving towards more modern and innovative methods.

Recommendation 17(b):

These same Serbian authorities should co-ordinate national investigation into the extent to which electronic devices are being used by students for cheating in examinations, and co-ordinate national strategy for combating such risks, including providing resources for electronic jamming equipment, and ensuring there are no legal impediments to the use of such jamming equipment.

Recommendation 17(c):

The relevant Serbian authorities (senior leadership in HEIs, MESTD, the Anti-Corruption Agency) should ensure that all parties adhere to the requirements in HEI integrity plans designed to remove threats to integrity in the relationship between academic staff and students on teaching, learning and assessment.

Recommendation 17(d):

The senior leadership in HEIs should ensure that they have in place protections for any whistleblower students, so that there is no negative comeback on a student raising legitimate concerns.

Recommendation 18(a):

The National Council for Higher Education, together with senior University leaders, should introduce an annual evaluation exercise of the use of the Codes of Integrity, having HEIs report on the number and range of issues dealt with by the Ethical Commissions. This information should be used to monitor the effectiveness of the Codes, suggest ethical areas to be addressed and to feed into future revisions of Codes.

Recommendation 18(b):

The National Council for Higher Education should ensure each University continues to develop the existing good practice for one overarching Code which applies across the whole University so as to ensure equitable treatment for all those covered by the Code. Any supplementary requirements within individual Faculties should be provided for through appendices to the full University Code.

Recommendation 18(c):

The leadership of each HEI should ensure that a separate Code of Integrity for Students is developed in each institution. Again this should be at institutional level, with any Faculty nuances given in appendices.

Recommendation 18(d):

Student organisations and student representative bodies should take the lead in developing such Codes of Integrity for Students in each institution, with full support from national organisations and HEIs, including both Universities and Faculties.

Recommendation 18(e):

The National Council for Higher Education should develop guidance on the development of a mandatory ethical programme for all students to take during their first year of study.

Recommendation 18(f):

The leadership of each HEI should ensure such a programme is introduced across all Faculties and programmes within their institution.

Recommendation 18(g):

The Commission for Accreditation and Quality Assurance (CAQA) should require as part of its accreditation and auditing processes that each HEI's mandatory ethics programme is fully evaluated annually, including through the use of student feedback on the programme's efficacy.

Recommendation 19(a):

The relevant Serbian authorities (MESTD, the National Assembly, the National Council for Higher Education, the Conference of Universities of Serbia, the Conference of Academies and Colleges of Applied Studies, senior University leaders of HEIs) should ensure that the new Draft Law on Higher Education is as clear and transparent as possible on the types of academic posts, the eligibility criteria for these posts, and the method for appointment to them. In particular, there must be full clarity and transparency on the criteria for promotion which centre on quality and quantity of publications.

Recommendation 19(b):

These same Serbian authorities must also ensure that the eligibility criteria and method of appointment for academic posts established in the Law are applied rigorously and transparently in practice. In particular, senior staff must appoint the most able applicant to posts, only on merit, and only after fully open and transparent advertising and competition.

7 - PARTICULAR ISSUES FOR THE PRIVATE UNIVERSITIES***Evidence from Meetings***

7.1.1 More generally on private Universities, the experts heard mixed views from other stakeholders on the quality of private Universities and the education they provide.

7.1.2 As already mentioned in par.5.4.1 earlier, in some discussions at senior national level within the Serbian HE community, it was suggested that there are quality issues with some private Universities, where accreditation procedures had not been 'tight enough'. However, it was also emphasised that some private Universities perform well, and, while public Universities generally perform well, it is not simply a case of public Universities being 'good' and private Universities being 'bad'. In addition to these comments already mentioned elsewhere, comment was also made at senior national level within the HE community that generally private Universities are considered 'less good' than public Universities. On the other hand, in meeting with senior international organisation staff, it was argued that integrity is not a greater issue in private HEIs than public HEIs.

7.2 The experts met with a number of senior leaders from private Universities. They met with one Rector separately, and with a group of other senior leaders (two Rectors and one Deputy Rector).

7.3.1 In both meetings, the senior leaders emphasised the quality of their provision.

7.3.2 The Rector who was met individually argued that Universities like his are student-centred, using blended learning, with applied science programmes meeting the needs of employers. 85% of his staff are in the 34-49 age group. He has invested heavily in laboratories. He said that then Prime Minister (now President) supports the use of the private sector.

7.3.3 In the meeting with the group of leaders, it was emphasised that one of these Universities focuses on Computer Science and IT, and stressed it had accreditation at all three cycles. Another of these Universities specified that it has 12 Faculties, 46 programmes, 9,700 students (7,598 'active'), and 250 teaching staff. This University focuses on vocationally important subject areas such as civil aviation and regional geo-economics. Generally, it was argued that private universities have modern programmes, and this was contrasted with some public Universities.

7.4.1 In both meetings, the leaders of the private Universities spent a great deal of time arguing that private Universities are treated unfairly compared to public Universities in terms of proportional representation and how students were treated.

7.4.2 The Rector who was met individually argued very strongly that the new Draft Law on Higher Education is a 'complete disaster', especially from the perspective of the private Universities. He said that the private Universities are not recognised (although MESTD wishes to emphasise that the working group on the new Law included a private University representative, and the Law does not differentiate between public and private Universities). The Rector focused particularly on the National Council for Higher Education and the accreditation process. Previously, he argued that any concerns the Accreditation Commission had during an accreditation led to a 'warning', and a conversation was entered, with appeal to the National Council for 'second level' consideration. He appeared to be arguing that the new proposals removed the rights of the National Council on accreditation. A new Accreditation Body composed of five people proposed by the public Universities would now make decisions, with no representatives from the private Universities. These decisions would be final, with appeals to the civil courts only over 'procedures'. More widely on the Conference of Universities of Serbia, there are 10 private and 8 public Universities, but, according to this Rector, on the Conference the private Universities have 30 votes, and the public Universities 370 votes (however, subsequent feedback from the Rector of the University of Belgrade indicated a different figure of a total 106 votes distributed by the size of the University). This private University Rector proposed separate private and public councils within the Conference. There should be a completely new position on this in the Draft Law, with one voice for each University.

7.4.3 In the meeting which was held with a group of other senior leaders from private Universities, these senior leaders also argued strongly that private Universities are subordinate to the public Universities. Problems from an inherited situation have persisted, including the fact that state scholarships are only available to students who attend the public Universities, not the private Universities, and private University students cannot use student hostels. The only state budgets which are potentially available to private Universities are through research projects' funding. Unlike public Universities, private Universities pay full economic rents. There is a lack of understanding of private Universities in society, and the challenges they face in surviving in the market. It was argued that the state should fund students not institutions, e.g. it was stressed that the parents of private University students are also taxpayers. The public Universities can ask students to pay additional fees (tuition fees) but these are 40%-50% of the 'true' fees, which gives an unfair advantage to the public universities. All of these advantages are being preserved in the new Draft Law. The 2020 Strategy argues for money to go to students through a combination of grants and loans, but this has been ignored. These senior leaders claimed that many articles in the Law show that private Universities are not treated equally, which creates a lack of stability for investment decisions.

7.4.4 These senior leaders also argued strongly about unequal treatment within the Conference of Universities of Serbia. It was conceded that the Vice-President of the Rectors' Conference came from a private University. However, voting is very unequal. It is not 'one institution one vote'. In arguing for the desirability of this, an analogy was made with the UN's 'one state one vote' approach at the General Assembly. The private universities have less than 20% of the vote. The private Universities can probably obtain one position on the National Council, and the same on the Accreditation Commission. The new Draft Law does not change any of this. On accreditation, these senior leaders complained about delays in receiving decisions. It was claimed that 'those with influence' in the public Universities only have to wait at most months for decisions, but private Universities are waiting 'years' for accreditation decisions. There were also complaints about having to pay for 'double accreditation' of programmes which are delivered both face-to-face and online. On accreditation, it was suggested that members of the Accreditation Commission should not work in any HEI, at least while with the Commission, and this should include reviewers.

7.4.5 There was a 'rumour' that policy is moving towards only having 'not for profit' Universities, which would clearly undermine the whole position of private Universities. However, this is not in the new Draft Law. These leaders suggested that the new Draft Law should recognise 'not for profit', 'for profit' and 'public' Universities. It is particularly important to recognise 'for profit' Universities because such Universities re-invest their profits in their academic activities, and because Serbia does not have sufficiently wealthy and generous donors to make 'not for profit' feasible.

7.4.6 On research development, the private Universities had an early focus on teaching, but they are now 'ready' for research. However, it is challenging to access state budgets for research projects. The private Universities try to make consortia with public Universities, but public Universities 'resist' collaboration, especially at Ph.D. and research levels. Public University Professors have more publications, and less teaching. Private Universities focus on students, 'unlike public Universities'. Reviewers of research funding bids are normally from the public Universities. It was claimed that private Universities have no access to the electronic networks which are available to public Universities in Serbia. Therefore, in conclusion, access to public research funding is possible, but difficult. On the other hand, at least one of these private universities has participated in European funded Erasmus+ projects, in bidding for which the private Universities are 'equal' to public Universities.

Concluding Comments on Private Universities

7.5.1 Therefore, the experts heard mixed views on the quality of private Universities and the education they provide. Of course, the senior representatives of the private Universities themselves argued strongly that they provide high-quality education, especially because they focus on innovative student-centred teaching and learning (this was contrasted with less appropriate approaches in the public Universities), and because they focus on providing vocationally-relevant degrees. As regards the views

of other stakeholders, some praised the quality of certain private Universities and their programmes, but the general view seemed to be that private Universities and their students are regarded as less good than the public Universities and their students.

7.5.2 One issue about private Universities which seems clear is the sense of grievance which the leaders of private Universities have about their position within the national governance of Serbian HE. They complain strongly about what they see as unfair representation on the Conference of Universities of Serbia, and therefore also on bodies such as the National Council for Higher Education. They argue that they are always outvoted by the public Universities because votes are proportionate to student numbers rather than the number of separate institutions.

7.5.3 Of course, an alternative view is that this use of 'proportional representation' is, in fact, the fairest and most democratic way of proceeding. The experts recognise the complexities here. They are attracted to the general principle of 'proportional representation'. However, if private Universities are to be recognised by the Serbian authorities as 'worth having' and important within the overall HE system, their strong sense of grievance needs to be addressed. The principle of 'one institution, one vote' within the Conference of Universities of Serbia would give undue influence to comparatively small institutions. However, the precise weighting given to individual institutions within a system of proportional representation should be reviewed. This should aim to reduce the sense of grievance among the private institutions, and also address the issues around the 'dominance' of the University of Belgrade which have been discussed earlier. However, any moves to address a sense of grievance among the private Universities must also address openly and frankly the concerns which other stakeholders may have about quality issues in the private Universities.

Recommendations from Section 7 (on Particular Issues for the Private Universities)

Recommendation 20(a):

If the relevant Serbian authorities (the Government of Serbia, MESTD, the National Council for Higher Education, the Conference of Serbian Universities) believe that private Universities have a valued part to play within the Serbian HE system, they should enter into collaborative dialogue with the private Universities to discuss the full range of concerns which the private Universities have about why they do not feel fairly treated within the system. Such dialogue should also address any concerns which other stakeholders may have about quality issues in the private Universities.

Recommendation 20(b):

Specifically, as discussed in Recommendation 7(a) above, these same Serbian authorities should retain a principle of proportional representation on the Conference of Serbian Universities, but should review the details of the system to achieve more balance between institutions. In particular, this review should address the sense of grievance from the private Universities on this issue.

8 - THE COMMISSION FOR ACCREDITATION AND QUALITY ASSURANCE (CAQA)

Evidence from Documents including the CAQA Website

8.1.1 The Commission for Accreditation and Quality Assurance (CAQA) was formed through Article 13 of the 2005 Law on Higher Education as an independent body of the National Council for Higher Education. It has 17 members from different scientific/educational fields including both academic and professional sectors. The process of appointing members is completed by the National Council for Higher Education and involves a public call for applications and the list of those being considered is also made public for comment. Article 13 explicitly excludes those holding government or party political posts (amongst others) from being Commission members. Members have a four year term of office and may not serve more than two terms. The Law states that the Commission will have 8 members of staff and that funding for CAQA is 'earmarked from the budget of the Republic of Serbia' plus what is raised through fees for accreditation. The fee level is determined by the National Council but has to have the consent of the Government. CAQA has to report at least once a year to the National Council for Higher Education which in turn makes this information public and passes it to the Serbian National Assembly.

8.1.2 CAQA runs an accreditation process for higher education institutions and their study programmes and also an audit which is an external quality control process. It prepares the standards for all evaluation processes (accreditation at institutional and study programme level, auditing, initial accreditation, and institutional self-evaluation) and these are then adopted by the National Council for Higher Education. CAQA also prepares the necessary procedures and guidelines for these processes and provides advice to institutions on such matters through publications and seminars.

8.1.3 Article 14 of the 2005 Law sets out the processes to be used by CAQA for accreditations, setting up teams of experts following a public call for reviewers who are to be 'internationally recognised national and foreign university professors, scientists, artists or experts'. For the accreditation of doctoral programmes at least one reviewer is to be from outside Serbia.

8.1.4 There are three possible outcomes from an accreditation process: accreditation, the issuing of 'an act of warning' pointing to problem areas which are to be addressed with an identified timescale, or a rejection of accreditation. In respect to the last of these decisions it is open for an institution to appeal to the National Council for Higher Education for a reconsideration of the CAQA decision.

8.1.5 CAQA is a full member of the European Association for Quality Assurance in Higher Education (ENQA) and is also registered with the European Quality Assurance Register for Higher Education (EQAR). ENQA last considered CAQA fully in 2012 with only one area of non-compliance being identified which was in terms of the need to have occasional system-wide analyses of their work. CAQA has thereafter addressed

this point. An application for renewal of ENQA membership was submitted in December 2016 and this review process is currently underway.

8.1.6 The new Draft Law on Higher Education proposes changes to the governance of CAQA by severing part of its link with the National Council for Higher Education and instead setting up a new National Body for the Accreditation and Quality Assurance in Higher Education. Article 14 states that the National Accreditation Body will be funded from its own revenues and from the budget of the Republic and will report to the Government at least annually. Full details of this new body are to be given in its founding act. However, Article 16 of new Draft Law identifies that executive authority of the new body will lie with a Steering Group of five members, four of whom will be appointed by the Government after nomination from the Conference of Universities of Serbia and one nominated by the Conference of Academies and Colleges of Applied Studies. The period of office is to be four years but there seems to be no identification of a maximum of two terms. The National Accreditation Body will have a Director elected and dismissed by the Steering Board after public competition from among prominent full university Professors with experience in management and quality assurance in Higher Education. The Director will be elected for a term of five years.

8.1.7 The Commission for Accreditation and Quality Assurance would then act under the aegis of the National Accreditation Body, but in most respects the status quo from the current arrangements would continue, although it is noted that the current legal specification of CAQA's staffing is removed. However, it appears that the current three accreditation decisions would be reduced to two, either awarding accreditation or giving a procedural decision rejecting accreditation. If the latter decision is made then there is still an appeals route; indeed it appears still to be to the National Council for Higher Education.

8.1.8 It is appreciated that these are only draft proposals which are being consulted on, but they are of significance for the ongoing role of CAQA. It is noted that CAQA, as a body, has already commented on the proposed Draft Law. CAQA raises various matters, basing some of its comments on previous comments it has received from ENQA. It argues for retaining the 'act of warning' decision. This stance emphasises that most accreditation bodies have a two part approach to their work. One is ensuring compliance with requirements, while the other is to have an educative function, suggesting how matters may be improved. CAQA also questions whether the new Draft Law actually makes its links with Government closer, contravening ENQA's requirements of accreditation agencies to be independent. A similar argument is also applied to the proposed accreditation appeals channel, still to the National Council of Higher Education. CAQA argues that a new independent Appeals Committee comprising of seven members, elected by the National Council, should be set up.

8.1.9 The 2012 OECD Report commented that, while the development of CAQA had been supported, some people interviewed by the OECD reviewers had expressed

concerns about CAQA processes being manipulated so that particular Faculties or programmes had an easier time during accreditation than others. No specific evidence for this had been identified but the OECD stressed that bodies such as the CAQA had to have transparent processes, so that there were no opportunities for financial or professional manipulation.

8.1.10 The 'Action Plan for Implementation of the Strategy for Development of Education in the Republic of Serbia by the Year 2020' has as an action 'Improving the Accreditation System', with one of the related outcomes being the participation by students, employers and foreign experts in the accreditation procedure.

Evidence from Meetings

8.2.1 In the meeting with senior staff from the Commission for Accreditation and Quality Assurance (CAQA), comment was made by these senior staff on the new Draft Law, with some elements being welcomed, some not and some missed opportunities identified.

8.2.2 Becoming an independent Agency was seen as being a positive step, but it was stressed that this independence had to be real and there were a number of things in the new Draft Law which limited this possibility. For example, having the Government agree standards was not in line with ENQA requirements. The continuing role of the Government in members joining the Agency again undermined that independence.

8.2.3 The proposed removal of the accreditation warning decision was seen as a backward step which would undermine the educative role of CAQA and make it seem simply to be focusing on compliance. This was regretted, as was the point that no role for students in accreditation processes had been identified, something else which would have strengthened the CAQA links with ENQA. The proposed revised appeals mechanisms were seen as a 'mixed bag', and the suggestion was made that having a separate and independent appeal body, perhaps even within the new Accreditation Agency, would be preferable to appeals continuing to go to the National Council for Higher Education. It was argued that, while members of the National Council are of course academics, this does not necessarily make them experts on accreditation, so there were some concerns about their appeal decisions.

8.2.4 Comment was made on the very small staff complement that CAQA currently has, and the need for additional appointments. (A similar comment was also made about the number of Inspectors there are within the Ministry to deal with HE matters.)

8.2.5 Comment was also made on the quality of the private Universities. Some were perceived to be of acceptable quality but not all and some concerns were expressed that there was a danger of some private Universities acting as a lobbying group arguing their case directly with politicians.

8.2.6 Concern was also expressed about some ‘ghost’ institutions operating within Serbia, i.e. without any formal status or accreditation at all. Such institutions should be dealt with by the Ministry’s Inspectors and closed down. The place of ‘bona fide’ international Universities operating within Serbia also needed greater consideration.

8.3. When the experts met with the President of the National Council for Higher Education, the President said that CAQA was well regarded, but there were some concerns about it not having sufficient reviewers to check the number and range of institutions under its responsibility. Appeals against its refusal of accreditation came to the National Council. About 80% of accreditations have positive outcomes, but those which have not may be appealed and the National Council has the power to quash the CAQA decision, based on the report by two reviewers selected among the National Council’s members.

8.4. In meeting with senior international organization staff, the independence of CAQA was said to be very important, yet both the National Council for Higher Education and the Government have roles in selecting those who will serve on CAQA. This could lead to questioning how truly independent CAQA is. It was suggested that thought should be given to appointment processes for CAQA to ensure that those appointed are genuinely there on merit, rather than having any potential conflicts of interest or possibly being subject to inappropriate influence.

8.5 As discussed earlier in Section 7 of the baseline assessment (see par.7.2-7.4.6), the experts met with a number of senior leaders from private Universities. They met with one Rector separately, and with a group of other senior leaders (two Rectors and one Deputy Rector).

In both meetings, concerns were expressed about aspects of accreditation affecting the private Universities. The Rector met with individually was particularly critical on how negatively the proposals on accreditation in the new Draft Law on Higher Education would affect private Universities (see par.7.4.2 earlier). In the meeting with the group of other senior leaders from private Universities, additional concerns were also expressed about aspects of current accreditation procedures and systems (see par.7.4.4 earlier).

8.6 In the meeting with senior staff from public Universities (three Rectors and one other senior member of staff), no particular concerns regarding CAQA were raised.

Summary Comments on Evidence from Meetings

8.7 The independence of CAQA matters, and therefore its processes and procedures must be as transparent as possible to ensure that all relevant parties are assured that it is set up and is completing its work in an entirely ethical manner. No evidence was presented for CAQA’s perceived biases but even so it needs to be scrupulous in how it carries out its work so that such stories are impossible to tell.

Recommendations from Section 8 (on the Commission on Accreditation and Quality Assurance [CAQA])

Recommendation 21(a):

The relevant Serbian authorities (the Government of Serbia, MESTD, the National Assembly) should create a new National Body for the Accreditation and Quality Assurance in Higher Education through the new Law on Higher Education, but must ensure the true independence of CAQA by decoupling the role of Government from any approval function of its work.

Recommendation 21(b):

While the new Law on Higher Education has removed the 'act of warning' accreditation decision, these same Serbian authorities should develop alternative ways of retaining the educative function which was provided by the 'act of warning'.

Recommendation 21(c):

These same Serbian authorities should ensure that the Complaint Commission established under the new Law on Higher Education provides genuine independence to the accreditation appeals process.

Recommendation 21(d):

The relevant Serbian authorities (the Government of Serbia, MESTD, the National Assembly, the National Council for Higher Education, the Conference of Universities of Serbia, the Conference of Academies and Colleges of Applied Studies, and senior HEI leaders) should fully support the new Law on Higher Education's funding model for CAQA, with this based on no Government funding, but rather based on payments from the Higher Education Institutions (in particular, institutional annual subscriptions should be considered, not just payments of fees for specific accreditations).

This funding model must generate sufficient funds to enable CAQA to increase its staffing complement to an appropriate level.

Recommendation 21(e):

These same Serbian authorities should ensure that the work of CAQA is entirely transparent so that all parts of the system are assured of its fairness. To that end, members should be required to declare an interest in any matters relating to their own institutions and withdraw themselves from any relevant discussion or decisions. It should also be made mandatory that those reviewers completing accreditations should be publicly named so that there is complete openness in the accreditation process.

9 - CONCLUSIONS AND NEXT STEPS

9.1 The experts hope that the analysis in the baseline assessment, and particularly its Recommendations, will provide a helpful basis for future discussions with Serbian stakeholders in the context of progressing the European Union/Council of Europe project to 'Strengthen Integrity and Combat Corruption in Higher Education in Serbia'. In particular, there will be opportunities to discuss the baseline assessment specifically at a round table for major stakeholders in early-July 2017.

REFERENCES

I COUNCIL OF EUROPE DOCUMENTS

1. 'Ethical Principles for Education', Ian Smith and Tom Hamilton, now published as Resource Volume 2 for the Council of Europe Pan-European Platform on Ethics, Transparency and Integrity in Education (ETINED), November 2016a, online at:-

<https://rm.coe.int/CoERMPublicCommonSearchServices/DisplayDCTMContent?documentId=09000016806c90cd>

2. 'The Ethical Behaviour of All Actors in Education', Ian Smith and Tom Hamilton, now published as Resource Volume 3 for the Council of Europe Pan-European Platform on Ethics, Transparency and Integrity in Education (ETINED), November 2016b, online at:-

<https://rm.coe.int/CoERMPublicCommonSearchServices/DisplayDCTMContent?documentId=09000016806d2b6f>

II GOVERNMENT OF SERBIA DOCUMENTS, AND OTHER SERBIAN DOCUMENTS

Anti-Corruption

1. Law on the Anti-Corruption Agency, 2010
2. 'Identifying risk areas in higher education institutions – first cycle of integrity plans', Anti-Corruption Agency, 2017 (Unpublished paper provided to the authors)
3. 'Information on Measures Imposed on Officials who Performed Public Functions in Higher Education Institutions - during 2014, 2015, 2016, and 2017 - until April 2017', Anti-Corruption Agency, 2017
4. Action Plan for Chapter 23, 2017
5. The National Anti-Corruption Strategy and Action Plan for its Implementation in the Republic of Serbia for the Period 2013-2018, 2013

Commission for Accreditation and Quality Assurance (CAQA)

1. Commission for Accreditation and Quality Assurance (CAQA), a range of documents available online at the CAQA website www.kapk.org/en/, and also 'Self-evaluation report of The Commission for Accreditation and Quality Assurance (CAQA)', 2012

2. Commission for Accreditation and Quality Assurance (CAQA) 'A Guide through Accredited Institutions of Higher Education and Study Programmes in Serbia', April 2017

National Government

1. 'Action Plan for Implementation of the Strategy for Development of Education in the Republic of Serbia by the Year 2020', Government of the Republic of Serbia, February 2015
2. Draft Law on Higher Education, 2017
3. Law on Higher Education, 2005
4. 'Research for Innovation: Strategy on Scientific and Technological Development of the Republic of Serbia for the Period 2016-2020', Ministry of Education, Science and Technological Development, Government of Serbia, 2016
5. 'Strategy for Education Development in Serbia 2020', Ministry of Education, Science and Technological Development, Government of Serbia, 2012

Higher Education Sector

1. National Council for Higher Education 'Basis for the Code of Academic Integrity at Higher Education Institutions in the Republic of Serbia', October 2016
2. University of Novi Sad 'Code of Academic Integrity of the University of Novi Sad', 2017

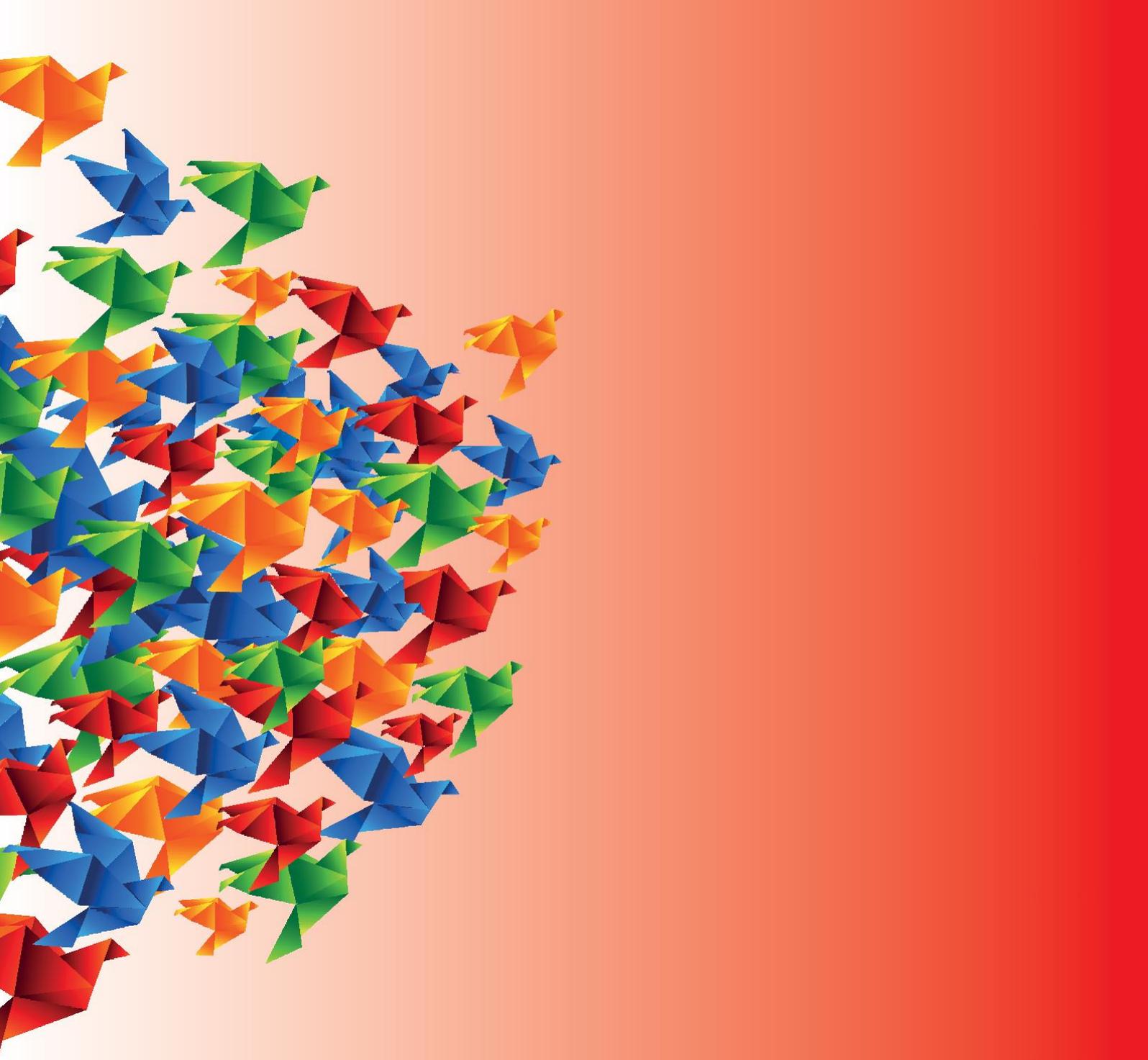
III OTHER INTERNATIONAL DOCUMENTS

1. EUROSTUDENT V Report 'Social Dimension of Studying in Serbia', March 2016
2. OECD Report 'Strengthening Integrity and Fighting Corruption in Education – Serbia', OECD 2012
3. Tempus Foundation Higher Education Reform Experts Team (HERE), information online at:-
<http://erasmusplus.rs/european-networks/here-team/>
4. Tempus Foundation Project 'Development and Implementation of System for Performance Evaluation for Serbian HEIs and System' (PESHES), information online at:-

5. Tempus Report 'Higher Education in Serbia', 2012
6. Tempus 'Report on the System Funding of Higher Education in Serbia', produced within the Tempus Project 'Towards Sustainable & Equitable Financing of Higher Education in Bosnia and Herzegovina, Montenegro and Serbia – FINHED', 2014
7. Times Higher Education 24th November 2016, pp.32-39, article 'The new breed on the charge'

LIST OF ABBREVIATIONS

ACA	Serbian Anti-Corruption Agency
CAQA	Serbian Commission for Accreditation and Quality Assurance
CEP	Centre for Education Policy
CoE	Council of Europe
ENQA	European Association for Quality Assurance in Higher Education
EQAR	European Quality Assurance Register for Higher Education
ETINED	Pan-European Platform on Ethics, Transparency and Integrity in Education
EU	European Union
EUA	European University Association
HE	Higher Education
HEI	Higher Education Institution
HERE	Higher Education Reform Experts Team
INTES	Integrity of Education Systems methodology
KONUS	Conference of Universities of Serbia
MESTD	Ministry of Education, Science and Technological Development
NCHE	Serbian National Council for Higher Education
NGO	Non-Governmental Organisation
OECD	Organisation for Economic Co-operation and Development
PESHES	'Development and Implementation of System for Performance Evaluation for Serbian HEIs and System', Tempus Project
Ph.D.	Doctor of Philosophy
TACTICS	Thailand, Argentina, Chile, Turkey, Iran, Columbia, Serbia (Times Higher Education grouping)
VET	Vocational Educational and Training School



Horizontal Facility for Western Balkans and Turkey

Funded
by the European Union
and the Council of Europe



EUROPEAN UNION

COUNCIL OF EUROPE



CONSEIL DE L'EUROPE

Implemented
by the Council of Europe