
12 Moldova

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12.1 THE NATIONAL CONTEXT

Moldova is a country of approximately 3.55 million people, not including the breakaway region of Transnistria. It is in southeast Europe and shares its longest borders with Ukraine to the east and Romania to the west. The population has been shrinking since the dissolution of the Soviet Union. From 1990 to 2015, it lost 21 percent of its population (United Nations, 2015). The United Nations predicts that, given current trends of emigration by youth, declining fertility rates, and limited progress on life expectancy gains, its population might decline by another 1.2 million people by 2060 (United Nations, 2015).

Its geographic position places the country between the political pull of the East and the West. It joined the Bologna agreement in 2005. The government of Moldova entered negotiations with the European Union (EU) signing agreements in 2014 for visa-free mobility in the Schengen area. Since that time, political parties that lean to the West and Europe and to the East and Russia have been in tension (Orenstein & Locoman, 2019). The country has also battled corruption and state capture at its highest levels. In June of 2019, the republic faced a government crisis when the Democratic Party, which had been in power, would not recognize the newly formed anti-corruption coalition government that brought together both West- and Russian-leaning parties. The country also has a breakaway region, Transnistria bordering the Ukraine. This area has its separate currency and government but is not recognized internationally.

Moldova is a lower middle-income country making it one of the poorest in Europe; its poverty rate has fallen from 22 percent in 2011 to 9.6 percent in 2015 (Teixeira & Nikolaev (2020). However, following the global financial

crisis in 2008–2009, its economy was one of the fastest growing in the region averaging 4.5 percent growth from 2010 to 2017 (World Development Indicators, 2018). Today, the service sector dominates the economy – 70 percent in 2016, up from 49 percent in 2000. Agriculture, the second largest sector, declined during that same period from 29 percent to 14 percent of the economy.

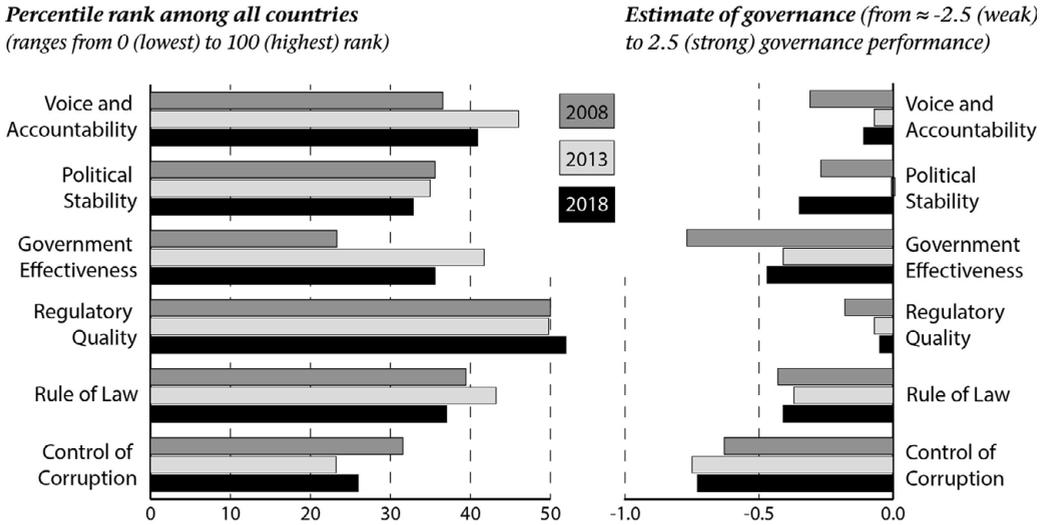
The Global Competitiveness Index of the World Economic Forum (WEF) ranks Moldova 56th out of 141 countries regarding public sector performance with a score of 51.8 out of 100. Regarding the burden of regulations, it ranked the country 76th with a score of 40.2 for 2018–2019 (Schwab, 2019). It scored the future orientation of the government at 44.2, ranked 114th. For the Skills pillar, most closely related to higher education quality, WEF scored Moldova 43.5 out of 100 for the skillset of graduates and a score of 36.7 on the ease of finding skilled employees indicators. This ranked the country 106th and 136th respectively on those indicators out of a total of 141. Regarding corporate governance, which arguably is different from public University governance, WEF ranked Moldova 51st with a score of 63.5.

The national governing context according to the World Bank's Governance Indicators project is as follows by percentile rank. These figures are intended to show trends over time associated with a set of country-level data that may impact University governance. By percentile, its overall governing context is below the 50th percentile in all areas except for regulatory quality. Voice and accountability and government effectiveness have improved the most in the past decade. Regulatory quality and rule of law have improved slightly. However, the scores across all indicators remain low as compared to international thresholds. The implications are that the context for universities is challenging. The system seems to lack capacity regarding governance and is not effective at producing graduates for workforce needs or focusing on the future (Figure 12.1).

12.2 THE HIGHER EDUCATION CONTEXT

Shape and Structure of Higher Education

The University sector in Moldova consists of nineteen public and ten private universities (NSB, 2018). They enroll 55,700 students and 9,800 students respectively (65,543 total) (NSB, 2018). The average enrollment is less than 2,000 students for all but two of the public universities; Moldovan State University and Moldovan Technical University each enroll approximately

Figure 12.1 Worldwide governance indicators for Moldova

10,000 students. Enrollments nationally have declined by almost 20 percent in the past two years. Emigration, falling birth rates, and aggressive recruitment and scholarships from nearby Russian and Romanian universities have contributed to the steep decline. Public funding for universities has also declined the past ten years; however, because of enrollment declines, per student funding is on the rise (World Bank, 2018b). The Ministry of Education, Culture and Research (MoECR) is undertaking an optimization process to reduce the number of universities and pedagogical colleges during the 2019–2020 academic year.

Approximately 65 percent of enrolled students pay some level of tuition fees. Of the 65,543 students enrolled in 2018/19, 23,260 received State government scholarships, which are offered in terms of merit and need. Government funding proved insufficient, and universities created contract education and charged these students tuition fees to enroll (Bischof & Tofan, 2018).

Higher Education Governing Context

Its Soviet history has had a strong impact on the structure and shape of Moldovan higher education. All but one University and all of the institutes were created during the Soviet period, at which the University structure, curriculum, and even academic staff were imported by the USSR with the

Soviet model being replicated in Moldova (Bischof & Tofan, 2018). The structure of the higher education system during Soviet times consisted mostly of special focused institutes – pedagogical, medical, technical, art, agricultural – and a conservatory. There was a single comprehensive University. Furthermore, most of these Soviet-style institutes and the University did not have active research agendas; research was conducted by the Academy of Sciences and its University (Bischof & Tofan, 2018). The University system during this period was highly centralized, which in turn meant that the curriculum was unresponsive to local economic needs (Smolentseva, 2012).

A series of reform laws aimed at modernizing Moldovan higher education occurred following the dissolution of the Soviet Union. During the initial wave of reforms, institutes added diversified curricula and transitioned into universities. A second set of reforms occurred in the early 1990s, which included the emergence of private universities (Bischof & Tofan, 2018). In 2005, Moldova joined the Bologna Process, further spurring reforms such as aligned degree structures, new forms of quality assurance, and a focus on degree relevance. The most recent legislative reforms were implemented with the adoption of the current Education Code in 2014.

As part of the 2014 reforms, the MoECR granted autonomy to Moldovan universities. The Code defines University autonomy as “the right of the University community for organization and self-management, exercising the academic freedoms without any ideological, political or religious interferences, assuming a set of competences and obligations in line with the national strategies and policies for the development of higher education” (MoECR, 2014, p. 41). The granted autonomy gives universities the rights and responsibilities related to

- research;
- the curriculum (although aligned with state education standards);
- admissions;
- hiring and promoting personnel;
- establishing management bodies;
- addressing student and staff social and discipline problems;
- overseeing finances and budgets, including seeking additional sources of income and keeping accumulated income and developing material resources; and
- administrating property to advance University mission/charter.

Along with this autonomy, the Education Code puts forth a set of guiding principles of (1) public responsibility, (2) strategic leadership, and (3) efficient and transparent management. However, the Code states that higher education management shall be performed at two levels: at the national level by the MoECR and at the institutional level. This dual responsibility signals that the Ministry continues to play a meaningful if not direct role. To that point, the functional level of University autonomy is debatable according to World Bank (Teixeira & Nikolaev, 2020), with the Ministry exerting continued control directly and indirectly over the shape of the system and at the University level. Although the possibility and structure for institutional control exists given the autonomy framework and the fact that that Moldovan universities charge tuition to two-thirds of their students and thus need to be market responsive.

12.3 GOVERNING BODY PROFILE

The primary governing body of Moldovan universities is the Senate, which is codified in national statute as that which represents the supreme management body (MoECR, 2014). It operates on a five-year mandate that coincides with that of the elected rector of the University.

There is a second governing body, the Strategic and Institutional Development Council (SIDC), that on some organizational charts appears on the same level as the Senate and has some authority over the rector (see, for example, Universităţii De Stat “Bogdan Petriceicu Hasdeu” Din Cahul, 2015). Although the Code of Education identifies the Senate as the supreme body, there are powers of the SIDC that extend beyond the reach of the Senate, as will be explained below. However, most SIDC decisions need to be approved by the Senate. Thus, there are two bodies that are created to work in concert with each other and as checks and balances on institutionally relevant decisions.

The final body of note is the Administrative Council, however, based on the terms and definitions of this book, it is considered as a management rather than governance body and thus falls outside the focus of this discussion.

Appendix 1 at the end of this chapter summarizes the ensuing discussion and compares Senates and SIDCs. This information was collected through Ministerial document and web analysis of Moldovan universities with available websites that describe elements of their governance structures.

Body Structure

The size of the Senates seems to range from a low of 36 members to a high of 101 members. The SIDC size is determined by statute and set at 9.

Committees

Committees vary across institutions. The Technical University of Moldova lists its standing committees on its website. This Senate is the largest one of those described consisting of 101 members and the only one with publicly specified committees. These committees include:

- Competition Commission;
- Education and Quality Assurance Commission;
- Scientific Research and Student Creativity Commission;
- Budget, Finance and Resource Optimization Commission;
- Internationalization, Cooperation and Partnership Commission;
- Social Problems, Students' Extracurricular Activities Commission;
- Prizes Awarding Commission;
- Discipline, Integrity and Ethics Commission; and
- Control of Enforcing The Senate Decisions Committee.

This University's Senate also has ad hoc committees and an executive committee.

Membership

The membership of University Senates is internal to the University. It includes the rector and prorectors, deans and directors of research and centers, elected academic staff, trade union representatives, and elected students. Stated in the Education Code is the student right to "be elected in the governing structures of the educational institutions" (MoECR, 2014, p. 81).

Membership of the SIDC consists of both University staff as well as outside, independent members. According to statute, SIDC membership includes the rector, pro-rector of finance, five non-university or community

members, and two teaching staff who are not members of Senate. Independent members of SIDC (who are not University employees) are compensated in their role and the chair is compensated at twice the level of members.

Member Appointment Processes

Membership for the Senate is elected by secret ballot by members from the University for five-year terms. These terms coincide with the elected term of the rector.

For SIDC membership, the Senate selects two teaching staff and two external experts (non-staff) for four of the nine posts. Ministries of Education, Finance, and Competence each select one external member and these individuals cannot be employed by Ministries. The rector serves as part of his/her appointment as does the pro-rector for financial matters. The Code suggest that members include economists and lawyers. SIDC members serve five-year terms.

The rector is elected to five-year terms that are renewable once for ten years. However, many rectors serve multiple terms beyond that. They are elected by secret ballot of the General Assembly of teaching and research staff and by the student representatives serving on the Senate and faculty Councils. The SIDC starts the process by publishing a notice and reviewing candidate dossiers to ensure they meet minimum qualifications. The SIDC or the majority of the Senate may dismiss a rector before the term is completed with the confirmation of the majority of the General Assembly and student representatives to the Senate and faculty Councils.

Chair Appointment Processes

The elected rector serves as chair of the Senate. The chair of the SIDC is voted upon by its members and must be one of the external members of that body, not employed by the University.

Board Accountability

The Senate and SIDC are accountable to the Ministry of Education. Moldova also has a quality assurance schema, but it is unclear if that body includes governance as part of its quality review process.

Scope of Work

The Education Code sets out a range of responsibilities for the Senate, and from that framework, universities develop a list of Senate tasks. These lists vary but tend to focus on the following categories of work:

- **Strategy.** Ensure principles of academic freedom and institutional autonomy; develop and approve the University charter; approve rectors' annual report; approve strategic development plan that is created by SIDC; nominate staff and confirms SIDC members; confirm SIDC recommendations on creating and terminating academic programs and SIDC recommendations engaging in consortia, entrepreneurial activities, and public-private partnerships.
- **Organization and Administration.** Elect deans and academic heads; determine University structure.
- **Finance.** Approve budget that is created by SIDC; approve project budgets; approve ways of obtaining revenue, donations, and of settling debts.
- **Staffing/Human Resources.** Approve the methodologies and regulations for the recruitment, employment, and evaluation of the scientific, didactic, scientific, and didactic staff; elect and reelect University professors, in some universities.
- **Academic, Curriculum, Research.** Develop and approve admissions framework; approve research strategy; approve institutional educational plans; approve the results of admissions and license exams.

The SIDC has responsibilities as noted above in the Senate work description and requires approval by the Senate. The scope of SIDC's responsibilities include:

- **Strategy.** Coordinate the Strategic and Institutional Plan and submit it for final approval to Senate; ensure intellectual property and tech transfer; and make decisions about entrepreneurial activities, public-private partnerships, and consortia; develop remuneration methodology.
- **Organization and Administration.** Organize rector election; develop physical plant.
- **Finance.** Draft budget for Senate approval and monitor finances; approve model-study contract and tuition fees.
- **Academic, Curriculum, Research.** Approve launch and close of study programs with approval of Senate.

The governance structure is created to have two bodies with shared responsibilities and approval mechanisms, particularly related to the budget and strategy of the University.

Commentary

The Senate is the supreme governing body as dictated in the Education Code and seemingly in practice. However, the governing powers are divided between the Senate and the SIDC, at least on paper. Although the Senate is the supreme body and as the Academy of Economic Science's website indicated, it "has the right to debate any issues related to the educational process and scientific research as well as management, socio-economic and financial activity" (Academy of Economic Science, n.d.).

The SIDC has the potential to be a meaningful governance actor because the scope of its work focuses on key strategic topics. These include budget development and tuition setting, the monitoring role related to the efficient use of financial resources, the development of the strategic plan, the development and consolidation of the institution's patrimony, and decisions related to launching and closing study programs. Budget and financial oversight, study programs, and physical plant and land use are fundamental strategic issues that a mix of University insiders (including the rector) and outsiders govern. All of that said, the SIDC decisions require Senate final approval, thus providing leverage for the Senate and constraining the authority and impact of this body. The Senate also appoints four of the nine members to that body, exerting both direct and indirect influence over SIDC work.

Through investigation of documents and websites for this brief, Senates are presented more often and in greater detail than the SIDC. While websites have great limits, the variations are striking between the public depictions of Senates and SIDCs and their relationship to each other. One can begin to speculate where the real power lies at each institution.

The SIDC structure has the potential to keep direct ministerial influence to a minimum, given that although ministries can appoint members of SIDC, they cannot be members of ministerial staff. That said, members of other ministries are appointed to SIDC, opening the doors for direct governmental influence. The broad sweep of fiscal and curricular powers, and the fact that the rector is elected by the University, also have the potential to lessen ministerial influence. Given the low scores in the WEF's Global Competitiveness index related to the future orientation of the government, ranked 114th out of 141 countries, and the low scores associated with higher

education's performance – skillset of graduates ranked 106th and ease of finding skilled employees ranked 136th, and coupled with a disproportionately strong record of corporate governance, ranked 51st, using the structure of the SIDC more effectively and with less government influence – direct or indirect – seems to have strong potential as a tool for effective University governance. Unlike other countries that do not have such a structure in place that allows for more distance from direct government control and opens lines of influence with corporate and other nongovernmental leaders, Moldova has such a structure but seems to be underutilizing it.

Finally, it is important to note the role and position of the rector in the Moldovan University governance structure. The rector, elected by the University and an institutional insider, not only chairs the Senate but also leads the Administrative Council, and this individual sits on SIDC. In addition to the rector, the pro-rectors and the deans sit on the Senate, and the pro-rector for finance additionally sits on SIDC. Therefore, one must consider the administrative authority present in governance. Serving with the elected mandate of the University and its academic staff and positioned structurally in key authoritative positions in both the Senate and SIDC and as a bridge between them, the rector likely has strong say in the governance of the University.

Appendix 1

Governance in Moldova

Table 12.1 Governing Moldovan universities: Senate and SIDC

	Senate	Strategic and Institutional Development Council (SIDC)
Purpose	“The supreme management body of the University” (Code)	to oversee strategic initiatives
Size	36 (Tiraspol State)–101 (Tech U of Moldova)	9
Committees	example committees: Competition Commission Education and Quality Assurance Commission Scientific Research and Student Creativity Commission Budget, Finance and Resource Optimization Commission Internationalization, Cooperation and Partnership Commission Social Problems, Students’ Extracurricular Activities Commission Prizes Awarding Commission Discipline, Integrity and Ethics Commission Control of Enforcing the Senate Decisions Committee	
Membership	rector, pro-rectors, deans, academic staff, heads of research Councils and other key units, students	rector, pro-rector of finance; five non-university members; two teaching staff (non-executive)

Table 12.1 (cont.)

	Senate	Strategic and Institutional Development Council (SIDC)
Appointment Process	elected every five years	Senate selects two teaching staff and two external experts (non-staff); Ministries of Education, Finance and Competence each select one external member (cannot be employed by Ministries)
Leadership: Chair	rector	elected by SIDC and cannot be University employee
Scope of Work		
Strategy	ensure principles of academic freedom and institutional autonomy; develop and approve the University charter; approve rector annual report; approve strategic development plan (created by SIDC); nominate staff and confirm (without amendment) SIDC members; confirm SIDC recommendations on academic programs, consortia, entrepreneurial activities, and public-private partnerships	coordinate the Strategic and Institutional Plan (for final approval to Senate); ensure IP and tech transfer; and; make decisions about entrepreneurial activities, public-private partnerships, and consortia; remuneration methodology
Org. & Admin.	elect deans and academic heads, determine University structure	organize rector election, develop physical plant (patrimony)
Finance	approves budget (created by SIDC); approve project budgets; approve ways of obtaining revenue, donations, and settling debts	draft budget and monitor finances, approve model-study contract and tuition fees
Staffing	approves the methodologies and regulations for the recruitment, employment, and evaluation of the scientific, didactic, scientific, and didactic staff; elect and reelect the University professors	
Academics	develop and approve admissions framework, approve research strategy, approve educational plans, approve the results of admissions and license exams	approve launch and close of study programs with approval of Senate
Other		members are compensated with a monthly allowance (except rector and pro-rector)