

## **Response by the Expert Team of the Tertiary Education Reform Project to „OECD Expert Response to White Paper on Tertiary Education“**

In May 2009 the Ministry of Education, Youth and Sports asked the OECD to carry out an expert evaluation of the White Paper on Tertiary Education. In November 2009, following their examination of the White Paper on Tertiary Education (the WPTE) and other documents, interviews with representatives of the relevant institutions (MSMT, MF CR), representatives of higher education institutions and tertiary professional schools (ČKR, RVŠ, AVOŠ, SŠVŠ, etc.) and a number of experts in the area of tertiary education, and following participation in the international conference *„The White Paper and Beyond: Tertiary Education Reform in the Czech Republic“* held in Prague on 16 and 17 October 2009,<sup>1</sup> a team of OECD experts (Thomas Weko, Anita Lehtikoinen, Gregory Wurzburg and Richard Yelland), presented a document entitled *“Expert Response to Czech Ministry of Education January 2009 White Paper on Tertiary Education”*<sup>2</sup> (the Report). In this document the OECD experts expressed their views on the following themes taken up by the White Paper: a) Equity and Funding, b) System Structure and Differentiation, Accreditation, and Faculty Careers, c) the Relationship between the State and Institutions, and the Governance and Management of Institutions. This text provides a response by a team of experts implementing the Tertiary Education Reform project to the OECD Report and to the recommendations made by the OECD expert team on how to proceed with tertiary education reform in the Czech Republic.

### **1. Equity and Funding.**

The Report, as well as the authors of the WPTE, acknowledges the fact that the high level of social inequalities in chances to achieve higher education in the CR can be partly attributed to the absence of a comprehensive system of student financial support. This results in a situation where most Czech students cover the costs of their studies from family budgets and their own earnings. The proposals for introducing a financial support system set out in the WPTE are described in the Report as “well-conceived in all respects” and “consistent with best international practice” (8)<sup>3</sup>.

The main comments to this part of the WPTE concern the size of the target group for this support. Firstly, the Report recommends that financial support should be targeted at students of tertiary professional schools (VOS). The reason for this is that it is these students who are drawn disproportionately from families with a lower level of educational attainment and income, and whose long-term income prospects are more modest compared to university students (8a). This comment is legitimate and acceptable. As the WPTE envisages that VOS should be included in the tertiary education system where they are to become the foundation of a segment primarily focused on professional training, we propose that student financial support should be targeted at this segment of professional training at tertiary level. Moreover, it is likely, due to the unfavourable demographic situation, that after the transformation of some VOS into institutes of professional education operating within tertiary education, the remaining tertiary professional schools will change focus and aim at providing training as well as retraining courses as part of lifelong learning. The clients of these institutions are quite unlikely to be eligible for financial support designed to cover *living costs* during studies as it

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<sup>1</sup> All documents related to this conference may be found at the website of the Tertiary Education Reform project at: <http://www.reformy-msmt.cz/reforma-terciarniho-vzdelavani/international-conference>

<sup>2</sup> See: <http://www.reformy-msmt.cz/reforma-terciarniho-vzdelavani/international-conference>

<sup>3</sup> The figures in brackets refer to the numbered paragraphs of the Report.

is conceived by the reform team (in most cases they will not meet the condition of “full-time, on-site studies”). However, we definitely agree that an entitlement to a *loan for tuition* should be awarded to everyone whom a payment of tuition fees at tertiary level concerns.

The Report also recommends that participants in lifelong learning should be covered by the financial support system (8b). This recommendation may be accepted while making sure that these participants will be subject to the same criteria for awarding entitlements to various “products” of financial assistance (i.e. loans, basic and complementary grants, etc.) as those applying to full-time students. This expansion will be made possible, first of all, by eliminating the age limit of 26 years, which the WPTE envisages as one of the main measures facilitating return to tertiary education later in an individual’s life (including the possibility of awarding means tested social benefits). Students in lifelong learning programmes cannot be excluded from entitlement to financial assistance, provided that these are accredited tertiary education programmes provided on a non-commercial basis, and that applicants for the various elements of financial support (loans, grants, etc.) meet the relevant criteria.

The Report states that the “White Paper” contains a proposal that students as “independent social units” should be the final beneficiaries of social support, and that they should be supported by a system of study grants, student loans and targeted means-tested scholarships. *Disability* is mentioned as a special criterion of eligibility (7). The reform team members are aware of the serious nature of this recommendation and they will elaborate on the issue of financial assistance to disabled students so that it constitutes a separate segment of the overall student support strategy. Although the reform team members agree that *“formula funding should always be a preferred option for allocating state funding to tertiary institutions, and that all spending priorities be assimilated in the formula, absent compelling reasons otherwise”* (21a), with regard to financial support for disabled students they do not believe that it is appropriate to increase the level of formula funding per student and to rely on the institutions that they ensure that students with documented disabilities get additional support from the increased formula allocation. The reform team believe it will be more appropriate to support disabled students both by a system of direct financial support (helping disabled students to cover increased living and study costs) and by means of institutional funding (allowing institutions to improve learning conditions for disabled students).

The Report also mentions that although the WPTE acknowledges that the high level of social inequalities in access to tertiary education originates at lower levels of education, it does not propose any measures to address this problem (9). This reservation is legitimate. However, when the WPTE was being developed and approved, the state of the debate on reforming basic and secondary education was not such as to allow for reaching a consensus on how the high degree of diversification of secondary education (which is one of the main causes of a high level of social selectiveness occurring at a very early age) could be addressed in a systemic manner. There is yet no consensus on this issue. The reform team therefore seek a solution consisting in minimising the effects that the different focus and standards of various types of secondary schooling have on the chances for admission to tertiary studies. This is why an experiment is planned that is related to the preparation of the state secondary school leaving examination (“maturita”). It should provide empirical evidence concerning the question of whether it is possible to alleviate both the direct and indirect effects of social background by introducing general study aptitudes tests. Tertiary institutions could use the results of these tests, along with the results of the “maturita” examination, as two complementary criteria in admission proceedings. However, the results of this experiment will not be available before the 2<sup>nd</sup> half of 2011.

As regards proposals for funding, for most of the changes and reform steps proposed the authors of the Report state that they are fully in line with good practice and have their full support.

As for a sustainable and significant increase in the level of resources for tertiary education, the Report considers the proposal presented in the WPTE (added household spending) to be “...much more realistic than that expressed by the Charles University” (13, 14). Moreover, the Report considers the mechanism of loan repayment outlined in the WPTE to be wisely thought through and appreciates that it highlights the “very important effect of introducing a tuition fee” (15, 16). The Report describes as thoughtful and constructive the proposal for transferring most of the resources allocated outside formula funding into the formula-based subchapter of the budget in the case of capital budgets, and the proposals concerning the elements of contract-based provision of formula funding that will be predictable, motivational for students and institutions and supportive of the institutions’ autonomy and responsibility (19). The OECD Report also fully supports the WPTE proposal to move the resources from the current capital sub-chapter into the formula-based subchapter (21c). Finally, the Report fully supports the WPTE proposal to link the funding of educational activities of institutions to accumulation of credits by students, and presents a number of reasons for this (21d).

The Report supports some WPTE proposals while stating that they should receive further attention. Firstly, the Report recommends reconsidering the feature of deferring the receipt of part of tuition fees and refers to the financial uncertainty of institutions (17a). We believe this is a relevant but partial observation. It should be added that a smaller part of deferred fees, which is more interesting for institutions and entails a higher level of certainty, automatically implies larger financial costs related to launching the deferred tuition fee system. This is why the WPTE assumes that the actual proportion of the deferred fees to be paid from graduate earnings will be decided upon by political representation after considering fiscal and other options at the moment of introducing tuition fees.

However, we should add that tuition fees in the WPTE are considered to serve as an additional income and it is „...matter of political priorities and commitments that an increase in private funding will not lead to a decrease in public funding” (par. 96 of WPTE). This is why a certain degree of uncertainty related to the collection of the deferred part of tuition fees should not pose any major problem (at present institutions do not have any income of this kind). Besides this, it is common for most economic entities, including the state budget, that they must tackle a certain, and often quite large degree of uncertainty concerning future income. There is no reason to think that, unlike other entities, tertiary education institutions cannot bear a certain part of this uncertainty in view of the fact that, in general, their sources of revenue are sufficiently diversified.

As concerns the proposed mechanism for collecting and claiming student loan instalments, the Report recommends (17b) that immediate steps be taken to provide a fully developed technical analysis. This analysis (a study of the regulatory framework) was commissioned shortly after the OECD mission ended. At this moment an advanced working version is available that presents a detailed description and evaluation of the feasible technical/administrative/legal alternatives.

The Report believes that the proposed loan collection through the tax system is, in principle, a very efficient solution (17c). At the same time, however, it recommends that a system of publicly capitalised loans should also be considered. The aforementioned study of the regulatory framework also contains evaluation of this alternative (see above).

The Report points out that the WPTE “...announces no target for the share of revenue that will be raised from tuition fees” (18). The WPTE intentionally does not announce any level of

tuition fees, as the authors believe this is a matter of public choice implemented through a political decision. However, the WPTE concentrates on describing the expected roles of tuition fees and the ways in which the system should operate. An approximate level of tuition fees is mentioned in the WPTE implicitly in the following statement: “However, private resources will remain a complementary source of funding. Even after the reform, the share of funding from public resources should still predominate, which would reflect the existence of positive externalities.” Public tertiary education institutions will continue to be funded predominantly from public resources. (par.96)

The Report finds no reason why – upon meeting a set of conditions – private tertiary institutions should not be eligible for an educational grant (20). The Report states that introducing this practice might strengthen competitive pressures among institutions with respect to Bachelor and Master level studies, to raise the prestige of Bachelor studies and promote wider differentiation among tertiary institutions. The draft versions of the WPTE contained this proposal. However, it was prevented from being included in the final version by a strong protection of the particular interests on the part of the representation of public tertiary education institutions, a low level of willingness of the MoEYS administration to implement this possible change, and general concerns of the political representation about unfavourable political fallout of such steps. For these reasons, and with a view to ensuring acceptability for the government, the recommendations presented by OECD experts were not included in the final version of the WPTE.

The Report considers the WPTE proposals for strengthening formula funding to be in line with best OECD practice, and, accordingly, recommends that support for the studies for disabled students should be assimilated inside the formula (21a). Unlike the OECD we believe that the system of formula funding should retain its simplicity and transparency, and the costs of studies of a very small (in terms of percentage) group of disabled students should be addressed via alternative modes of funding and support.

The Report is critical of the fact that the WPTE does not deal with the process of developing and approving parameters, and fails to specify who will work with the parameters in practice and what link there will be between the parameters and decisions on funding. As concerns parameters essential for accreditation proceedings, these should not include study demand parameters so as to ensure a competitive access for other entities and programmes. As concerns parameters related to funding, it is assumed that an overwhelming majority of them will continue to be determined, as is the case at present, at MoEYS level (numbers of funded students, coefficients of financial demands, budget sub-chapters for tertiary education) and at the level of the Ministry of Finance (total volume of resources for tertiary education), and in the same manner as has so far been the case (decisions, principles, etc.). Other decisions will not be directly linked to the formula parameter, but there will be an indirect link between the number of funded students and the financial demands associated with student loans and study grants (and the level at which they can be funded, as derived from this). In this respect it will be necessary to coordinate MoEYS decisions on parameters with those of the institution providing loans and grants (it could be the Centre for Tertiary Education Funding Administration according to one of the alternatives presented in the regulatory framework study). However, these details could not be addressed by the WPTE as it is necessary at first to map the regulatory framework alternatives, to choose the optimal one and, based on this, to decide on the framework for defining the parameters.

The Report observes that the MoEYS can decide on the numbers of funded students at public tertiary institutions even without legislative changes so as to steer the Czech tertiary education system towards wider differentiation, and presents several examples (36). This recommendation is very relevant and the reform team has begun to work on proposing the

relevant changes in the Funding Principles and to cooperate with the executive administration of the MoEYS.

## **2. System Structure and Differentiation, Accreditation, and Faculty Careers**

The WPTE expert team agrees with the OECD expert evaluation in nearly all points. What is most pressing is the fact that the system of tertiary education is “very weakly differentiated: all public and state higher education institutions (with two exceptions) are *formally* designated as universities, and many are animated by a traditional Humboldtian vision of the university.” In relation to concerns associated with the “limited capacity to provide extensive, high calibre, professional oriented Bachelor degree education” the WPTE expert team asks the following question: What is the reason for this “limited capacity”? Presumably the reason is not a shortage of human resources, nor is it the demand on the part of employers and prospective students. It is more likely that the reason is general lack of public trust in programmes of study other than those leading to a Master degree, which is further strengthened by the existing tertiary education funding mechanisms. As a result of these mechanisms it is in the financial interest of each tertiary institution to provide Master degree programmes and to “let in” the highest possible number of students.

One of the consequences of this situation is another fact noted by the OECD examiners – i.e. the costliness and inefficiency of this weakly diversified system. This fact was one of the main stimuli for proposing reforms in the system structure that would change the current situation where over 80% of tertiary education students undertake both Bachelor and Master studies. The objective of the reform is to set up the TE system so that at least 60% of students complete studies at Bachelor degree level. In this context we should mention that one of the key mechanisms for achieving this, in addition to financial instruments, will be the actual completion of the Bologna process. As a result, Bachelor programmes will be viewed as coherent programmes with clear outputs and objectives, and not, in the first place, as a “preparation programme” for Master studies. A change in accreditation rules (see below) will definitely have to play a role in this. As a result of this change, indicators such as “coherence” of the programme, the role of industry, etc., will be accentuated at Bachelor level, while for Master and Doctoral programmes emphasis should be placed on a higher level of interconnectedness with research and development, which may be supported by the funding system (a link between formula coefficients and the research and development performance of a TE institution or faculty).

The role of transformation of the existing VOS in the diversification process should not be underestimated, nor should it be overrated. This is one of the possible ways of achieving wider differentiation. However, we should realise that, in terms of the number of schools (i.e. also the capacity and the overall impact on the system), the effect will be relatively small. In parallel to this, it will be necessary to introduce such changes that will move at least some public tertiary institutions to focus far more on the provision of Bachelor degree programmes, including professionally oriented ones. There are also plans, as part of transformation of a portion of the existing VOS, that some of them will provide short, professionally oriented programmes worth 120 ECTS credits. A proposal for specific steps towards transformation of VOS, including the necessary legislative and financial adjustments, should be completed by the end of March 2010.

A changed approach to accreditation will certainly play a role in this process. Two aspects will be concerned in particular: a larger emphasis on evaluation of outputs and a differentiated approach according to the institution’s focus. This will have to be reflected in a changed approach to career development issues. The recommendations of OECD experts are in line

with the intentions of the tertiary education reform plans. Unfortunately, it appears that the proposal has run up against “traditionalist” and “estate” understanding of the various levels within the academic hierarchy (particularly on the part of associate professors and professors). The WPTE envisages a fundamental change in perception, as it considers these to be primarily “functional positions”. The WPTE experts still believe that a change in this area is necessary and that it will enhance the quality of the system as a whole. One of the quality-improving changes will consist in a far more comprehensible and transparent career progression system. There are already quite large differences in the requirements various institutions set for the appointment of associate professors and professors. Nevertheless, all the actors involved pretend to believe that this is a homogenous system where quality is guaranteed.

The Report criticises the WPTE that it not specific enough, particularly as concerns the description of parameters of accreditation in relation to financing parameters (26). Moreover, it asks a relevant question of whether and how the MoEYS will take account of the performance of institutions on key parameters in allocating new study places, setting the formula and providing resources for research and development. This criticism of the WPTE is legitimate. However, the debate on these issues has progressed significantly since the end of 2008 when the final version of WPTE was written.

As regards the link between allocation of study places and the institution’s performance, there is a proposal for establishing a much stronger link between the number of students financed in Master and Doctoral programmes on the one hand, and the outcomes of the institution in the area of research and development on the other hand. This proposal has met with strong support on the part of the MoEYS. Furthermore, the reform team expects that universities or their parts that will be designated as research-focused will receive a far better institutional funding of research. This expectation is gradually being met as a result of switching from R&D funding based on research plans to institutional funding based on previous results. Apart from this, purpose-linked funding (projects) will also go in the same direction.

The Report states that the existing system of accreditation hampers innovation and differentiation within Czech tertiary education and sustains an inward orientation on the part of institutions. It observes that the WPTE proposal points in a promising direction but requires much clarification (27). The questions concentrate on definition of the terms “fields of study” and “types of programmes”, their systemisation, and also on the impact of the proposed changes on the autonomy of institutions. It is true that the WPTE does not provide sufficiently comprehensible answers to these major questions, and that the relevant parts of the text should serve only as a stimulus for further discussion and research leading to the required specification. The WPTE team’s views are as follows: fields of study should be defined by means of a roster provided by the MoEYS where changes and expansion would be allowed at the initiative of TE institutions or their groups. The accreditation authority will play an important role in this process.

- Decisions as part of accreditation should not be seen as implementation of top-down executive powers from the MoEYS to the faculties. They should be part of implementation of state supervision over adequacy and quality - therefore leading to a higher degree of autonomy as compared to the current situation, not weakening this autonomy.
- Programme systemisation is understood to mean administration of a list of the programme titles and their basic “learning outcomes” (say covering some 1/3 of the anticipated scope of studies so that systemisation can be used without change to cover multi-disciplinary programmes as well).

- The system should serve as a link to formula funding, as a means of making the educational provision of individual institutions more transparent and comparable for the general public, and also as a principle guideline for setting internal regulations for maintaining and controlling institutional quality.
- Parameters proposed at national level should serve as a basis for internal procedures.

The Report also states that the academic career requirements (appointment to academic posts) do not create an environment where Bachelor programmes aimed primarily at graduate entry into the labour market find it easy to take root and flourish. The reason is that practice-oriented teaching carries little reward and prestige in the existing career system. The OECD experts also believe that this hampers another sort of diversification – towards higher research intensity in some TE institutions and faculties. The existing career structure limits the flow of experts from abroad and hinders mobility as it encourages institutions to recruit internally rather than widely. Moreover, the career structure encourages the overproduction of research that fails to achieve national, European, or international standards. The experts therefore welcome the initiative to create an alternative model of the academic career (28 and 29).

Although, in principle, the OECD experts endorse the proposal for transferring the responsibilities and powers related to the shaping of the profile of the academic posts to individual institutions, they criticise the WPTE for failing to provide a thorough analysis of the “supervision of the standards of academic staff”, particularly in the context of accreditation (30). The WPTE team agree with this. We believe that abolition of the appointment procedures stipulated in legislation and of the current practice of (mis)using them in the accreditation process is the fundamental issue on which the success of most plans for diversification and quality improvements in tertiary education depends. However, we have learned from the debate so far that certain principles governing personnel issues should be defined at the level of legislation, while still allowing the institutions certain freedom in setting their own standards. Legislation should stipulate, above all, rules concerning information disclosure and transparency of all procedures (the current practice of non-examinable decision-making and secret ballot actually precludes such transparency). Work on these issues is receiving considerable attention both from the Tertiary Education Reform project team and as part of other related projects concerned with quality assurance.

The WPTE team have for long been aware of the fact that the WPTE fails to pay appropriate attention to research and its link to diversification. The Report rightly states that in most tertiary education systems a primary force driving differentiation is a highly competitive and performance-based research funding system (32). The WPTE text may appear to convey the notion that differentiation with respect to education will remain considerably limited until tuition fees are introduced, which will serve as one of the natural instruments for differentiating among predominantly “educational” institutions. During their work the WPTE team had to come to terms with the fact that the design of the research funding system does not fall within their purview. We fully agree with the OECD experts’ view that this omission analytically weakens the WPTE (and perhaps even reduces its credibility), since this is presumably going to be a key driver of differentiation among universities and faculties in the Czech Republic. The WPTE team believe that further discussion will provide room for the necessary inter-connection and interweaving of the research and education reforms, and we are ready to engage in this debate. We definitely plan to ensure that outputs of R&D quality evaluation and assurance form an integral part of accreditation procedures particularly for Master and Doctoral programmes.

The Report highlights the possibility of allocating funded study places to institutions, even without changes in legislation, by means of a methodology that would lead the Czech tertiary

system towards wider differentiation. The WPTE team fully endorse the OECD experts' opinion that places in Doctoral programmes should be funded based on research productivity in the past. What we see as problematic, however, is the proposal to increase incentives to develop professionally oriented Bachelor level education by attaching additional weight to enrolment in programmes that integrate work-based learning as part of the studies. When defining the weights/coefficients for formula funding it is difficult to define parameters for "professional" programmes separately from other types. This is a very delicate and multi-faceted exercise, and, in addition to the real needs and costs of high quality professionally focused education, the real situation of the providers of this education in the Czech Republic must be taken into account.

The OECD experts fully share the opinion expressed in the WPTE that the Accreditation Commission, which has so far played a conspicuously prominent role in the regulation of the Czech system of tertiary education (particularly as regards the establishment of new institutions and study programmes), should reorient its operations so that they take more account of the profile of individual institutions (and, consequently, also the interests of external stakeholders). More specifically, there should be a shift from a detailed case-by-case review focusing on the sufficiency of inputs (e.g. academic staff and facilities) to reviewing the quality of educational activities and the processes that institutions have in place to monitor, improve and assure quality. Since the publication of the WPTE the debate has shown that there is quite a large degree of consensus on this point in the CR.

### **3. The Relation between the State and Institutions, and the Governance and Management of Institutions**

The Report states that the reforms in the area of tertiary education proposed by the WPTE are in line with the OECD recommendations, and that this also applies to those concerning governance and management (42 – "The OECD Country Note arrived at the conclusions that are broadly consistent with the diagnosis of the reform team.").

What the OECD experts see as a major problem is, above all, the fact that the work takes place within a polarised landscape where trust is low (43). They point to an insufficiently developed design of governance structures. Moreover, the proposal for the establishment of the Tertiary Education Council (TEC) is seen as particularly problematic (43 c) – the experts point to an inappropriate combination of the executive and advisory functions. They also note that some generally beneficial proposals have run up against the traditions of Czech tertiary education. This is perhaps the reason why the Report contains a recommendation to make use of the Austrian experience and model.

We agree with these comments, proposals and advice expressed by the OECD experts, and consider them to form a starting point for further work. However, we should stress that some rightly criticised unclear points were the result of the WPTE commenting procedure where the authors did their best to accept the comments of the relevant institutions – i.e. the Council of Higher Education Institutions in particular, which repeatedly expressed fears of political influence exerted on TE institutions by the Ministry (particularly as concerns the appointment of Boards of Trustees). The TEC was envisioned to be a certain safeguard, an expert body. Under the pressure on the part of the organisations commenting on the WPTE some competencies of the Ministry were transferred to the TEC. We are ready to develop new alternatives taking account of the discussion so far (see, for example, the contribution by rector Málek explicitly mentioned in the OECD experts' comments), and to evaluate their feasibility and long-term impact and present them for public debate. However, this must concern the system as a whole where all levels are inseparably connected.



As for the so-called Austrian model, it is easily compatible with the overall concept of the reform steps proposed by the WPTE team, but its implementation would involve a far more robust change of the existing governance structures than what the WPTE envisions. In addition to abolition of the Czech version of proceedings for appointing professors, the change would include the following:

- Bringing together the functions of the Scientific Board and the Senate into one body, the “Senate” (the current function of the Scientific Board as an instrument for addressing personnel issues, including the multiple secret ballots that lead to non-examinable decisions and that perhaps no longer make sense, is becoming useless);
- Changing the concept of the work of the existing Senate and Scientific Board into a traditional “curricular” system of management, where this new Senate would have a statutory low number of members with high qualifications (half of professors, quarter of students), extensive powers, and it would be a truly managing body of the university;
- A sound change in the Rector’s position who, in this model, is a true top manager (selected, at Austrian universities, normally from outside the university) who reports to the Board of Trustees (the Board concludes a management contract with him/her based on a list of at least three candidates proposed by the Senate);
- Change in the position of Deans of faculties so that they do not act independently on behalf of the university (not even in faculty matters).

Although we did not find courage to pursue such major changes when working on the WPTE, it is the way in which the debate has developed that makes us believe that this could be the right direction. For the time being, we are going to focus on both these models – the existing Czech one with less radical adjustments as proposed in the debate so far, and the Austrian one.

The entire process of commenting on the WPTE (including the reform preparation stage) has been, and still is being very much affected by political instability and general “disgust over politics”. It should be pointed out that a number of comments made by representatives of TE institutions – and often those very comments that express fears of political influences – are paradoxically presented by people who have for long been holding major political posts. However, this does not change the fact that the political economy of the reform – i.e. explanation, discussion and seeking basic consensus – has not been successful.

Changes in the governance and management of tertiary education institutions must be logically derived from overall reform steps. This explains why this part of the proposal could not contain detailed solutions. At first it is necessary to reach basic consensus as concerns the mission of the tertiary education system as a whole, its overall structure (differentiation, the issues of VOS), the legislation (one or more laws), basic funding principles, etc. Then it is necessary to choose an appropriate governance model that will facilitate an optimal fulfilment of the general objectives. The WPTE builds on the notion of a strongly diversified system of tertiary education that is regulated by one law. This has undoubtedly resulted in a number of problems in designing a model of governance depending on the type of institution. The discussion to date has revealed that it will not be possible to address differentiation by restricting legislation to general matters concerning educational institutions as a whole, and leaving specific provisions on the management and structure of institutions within the remit of institutions’ internal regulations. In our next steps we will pay attention to this issue.

The recommendation in 43 g, where the experts point to the presence of external members on Scientific Boards of tertiary education institutions, perhaps results from unclear formulations

or lack of understanding of the current situation. As for Scientific Boards the WPTE does not envisage any major change, and the current practice (at least one third of experts from external institutions) has proven itself to be appropriate. However, if there is a major change in appointment proceedings, the position and functions of Scientific Boards should be discussed again.

The text was written by Jakub Fischer (an expert guarantor of the Tertiary Education Reform project), František Ježek, Petr Matějů, Daniel Münich, Jan Slovák, David Václavík and Simona Weidnerová.