
STRATEGIC ANALYSIS OF CORRUPTION RISKS

TOP-25 CORRUPTION RISKS IN HIGHER EDUCATION



Corruption Prevention and
Detection Department

2022

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CONTENTS

- SUMMARY OF THE STUDY** 4
- CORRUPTION RISKS** 9
- EDUCATIONAL PROCESS** 9
 - Risk 1.** Malpractice during entrance exams 9
 - Risk 2.** Malpractice by university staff related to the admission of foreigners 13
 - Risk 3.** Mediation in the enrollment of foreign students 17
 - Risk 4.** Malpractice during taking missing credits 19
 - Risk 5.** Demanding/providing improper benefits in exchange for grades 23
 - Risk 6.** Involvement of intermediaries in order to obtain improper benefits during the evaluation of students (trainees) 26
 - Risk 7.** Imposition of own developments (tutorials) as a condition for positive evaluation 30
 - Risk 8.** Using official position to influence lecturers and staff 32
 - Risk 9.** Malpractice related to writing and preparing for the defense of qualification works 35
 - Risk 10.** Abuse of office in the form of sexual harassment by lecturers or university administration for positive grades or protectorate (sextortion) 38
- ACADEMIC ACTIVITY** 43
 - Risk 11.** Malpractice during admission and participation in postgraduate (doctoral) programmes 43
 - Risk 12.** Provision of improper benefits for passing exams within postgraduate programme 47
 - Risk 13.** Manipulations in the course of compiling collections of research articles 50
- ADMINISTERING HIGHER EDUCATION INSTITUTIONS** 53
 - Risk 14.** Falsification of results during the holding of competition for vacant positions in the higher education institutions 53
 - Risk 15.** Malpractice in awarding bonuses or other incentive payments 56
 - Risk 16.** Malpractice during accommodation of students and staff in dormitories 59
 - Risk 17.** Unlawful transfer of higher education institutions' land plots for use to third parties or for unlawful construction 62
 - Risk 18.** Unlawful lease of property of higher education institutions 65
 - Risk 19.** Deliberate procurement of unnecessary goods 68
 - Risk 20.** Improper influence on the procurement process through cooperation with counterparties outside the tender processes 70

Risk 21. Abuse of power with the aim to force the participants in the educational process to purchase paid services exclusively at the university.....	73
Risk 22. Demanding payment of charitable donations	75
Risk 23. Pressure on proactive students and lecturers	77
PARTNERSHIPS (INTERACTION WITH EXTERNAL STAKEHOLDERS)	80
Risk 24. Abuse of power position/political status to put pressure on representatives of higher education institutions.....	80
Risk 25. Involvement of participants in the educational process in political campaigning and the election process in favor of certain political figures (parties)	83
RECOMMENDATIONS	86
For the Ministry of Education and Science	86
For the National Agency on Corruption Prevention	87
For higher education institutions	88
ANNEX 1. BEST PRACTICES FOR MINIMIZING CORRUPTION RISKS	94
Examples of best practices that existed in higher education institutions before monitoring	95
1. Simplification of interaction with students through the establishment of the Student Communication Center.....	95
2. Regular electronic anonymous assessment of the quality of instruction	95
3. Separation of positions of the rector and the chairman of the Academic Council.....	96
4. Introduction of an electronic learning system into the educational process	96
5. Rotation of lecturers during student evaluation.....	97
6. Regulation of the procedure for uploading practical training reports	97
Examples of best practices that universities implemented after the monitoring of corruption risks	98
1. Inclusion of the anti-corruption component in the development strategy of higher education institutions.....	98
2. Regular anonymous survey on corruption risks.....	98
3. Ensuring the transparency of the procedure of transferring students from the contract to budget-funded form of study.....	99
4. Digitization of academic debt elimination	99
5. Ensuring transparency and compliance of public procurement.....	100
6. Digitization of practical training	101
7. Regulation of foreign students' study.....	101
8. Electronic system of accommodation in dormitories	101

SUMMARY OF THE STUDY

From June 2021 to February 2022, the Association of Legal Clinics of Ukraine implemented the Anti-corruption Compliance in Higher Education: from Identifying to Combating Risks Project. One of the activity areas of the Project was the identification of the most typical corruption risks in higher education and compilation of a register thereof.

For this, the study team of the Project:

- analyzed open sources (registers (judicial registers, NACP registers, Prozorro systems, etc.), information from the media, social media, previous national and foreign studies on corruption risks in higher education);
- conducted a national survey of students of higher education institutions from all over Ukraine;¹
- carried out in-depth monitoring and assessment of corruption risks in five pilot higher education institutions according to the adapted Methodology developed by the National Agency on Corruption Prevention.²

The study is based on approaches defined by ISO 31000, Risk Management - Guidelines; DSTU (National Standard of Ukraine) IEC/ISO 31010:2013 — Risk management. General risk assessment techniques and IEC 31010:2019 Risk management – Risk assessment techniques⁴.

Corruption risks are defined both in the context of legislation that directly regulates the corruption and corruption-related offenses (the Law of Ukraine on Prevention of Corruption, relevant articles of the Criminal Code of Ukraine, Code of Ukraine on Administrative Offenses), as well as additional provisions regulating the access to public information, public procurement, violations of election legislation, offenses against health and sexual freedom – in particular, sexual harassment. This study examines

1. The survey collected responses from 499 respondents, 98.8% of whom are undergraduate and graduate students of state universities.

2. Decree of the National Agency on Corruption Prevention No. 126 of 02.12.2016 On Approval of the Methodology for Assessment of Corruption Risks in the Government Activities: <https://bit.ly/3HaYjJP>

3. ISO 31000, Risk Management - Guidelines: <https://www.iso.org/iso-31000-risk-management.html>

4. National flag of Ukraine. General risk assessment methods (IEC/ISO 31010:2009, IDT, DSTU (IEC/ISO 31010:2013), Official edition. - Kyiv, MINEKONOMROZVYTKU, - 2015: <https://bit.ly/39dFSbv>

sexual harassment as a complex issue with signs of corruption risk, where intimate services or other types of harassment become the «currency» in the educational process. Worldwide, this phenomenon is also referred to as «sextortion».

Based on the analysis, it was possible to compile an expanded register, which includes **55 corruption risks** in four main areas of higher education: educational process, academic activity, administrative activity and partnership of higher education institutions with external partners (stakeholders). Based on the expanded register, experts compiled a list of **25 corruption risks that are the most typical for the current system of higher education in Ukraine**.

For each risk, the context and manifestations, factors contributing to the occurrence of the risk, potential strategic and corruption-related implications, as well as examples of realization are described.⁶

At the end of the study, recommendations for universities, the National Agency on Corruption Prevention, and the Ministry of Education and Science of Ukraine (MoES) on minimizing corruption risks in higher education are provided, grouped by risk category. The Annex contains examples of best practices for prevention or elimination of corruption risks, which the Project team examined during monitoring at five pilot universities.

Key findings:

Among the main **factors** contributing to the occurrence and realization of corruption risks in higher education are:

- low development or lack of corporate university culture, which would include clear and effective policies and mechanisms for ensuring academic integrity and preventing corruption. In those higher education institutions, which have been building and developing a sustainable and complex corporate culture for a long time, the number and level of corruption risks are significantly lower;
- wide discretionary powers of administrative and academic staff of higher education institutions combined with a lack of control over the actual relations between

5. Register of corruption risks in higher education in Ukraine. Link to the NACP's website: <https://bit.ly/3ztAMCx>; Link on the Association of Legal Clinics of Ukraine website: <https://bit.ly/3aNTMkl>

6. In order to describe the realization of corruption risks in higher education, information from various sources was used: data of the anonymous national survey of students; surveys, focus group discussions and individual interviews of participants in the educational process (administration, lecturers, staff, students) in five universities that participated in Project implementation; data of the Unified State Register of Court Decisions and the database of court decisions Opendatabot; media reports; materials of previous studies. Where possible, the information from multiple sources was provided to describe the realization of a particular risk.

managers, subordinates and students;

- lack of automation of the educational process at all levels and stages — starting from admission to a higher education institution, organization of learning and evaluation to management of the educational process and document flow;
- dishonesty of participants in the educational process, external partners interacting with higher education institutions;
- tolerance of corruption in higher education.

Realization of corruption risks may have strategically negative **implications** both for the Ukrainian higher education system and directly for education institutions. Such implications include a decrease in the quality of education; outflow of enrollees from Ukraine; a decrease in trust of foreign partners and, as a result, a reduced number of exchange programmes, targeted foreign funding of state educational programmes; material losses.

Realization of many corruption risks may entail disciplinary, administrative and criminal liability of guilty persons, as evidenced by administrative and judicial practice. After all, the information on persons that committed corruption or corruption-related offenses is entered in the Register of Corruptors.

Monitoring of corruption risks in five pilot universities made it possible to identify a number of **best practices** that allow to minimize such risks. After the monitoring, quite a lot of practices were introduced by higher education institutions.

The practices include, for example, regular anonymous assessment of corruption risks by participants in the educational process; technological solutions that facilitate access to information about the activities of higher education institutions in various areas; improvement of internal procedures and policies; more active involvement of anti-corruption commissioners in the management of higher education institutions, etc.

It is noteworthy that in all cases of pilot monitoring, legal clinics served as a kind of hubs at universities. It was their heads or participants who helped organize the long-term implementation of the Project.

Main recommendations:⁷

FOR THE MINISTRY OF EDUCATION AND SCIENCE OF UKRAINE

- To expand areas of cooperation with the National Agency on Corruption Prevention on the integration of principles of integrity into all national educational processes; assessment of corruption risks in all higher and vocational pre-higher education processes; anti-corruption examination of draft regulations; organization of the work of higher education institutions and the Ministry as anti-corruption commissioners.
- To strengthen the coordination and training activity of anti-corruption commissioners of higher education institutions by an authorized person of the Ministry of Education and Science of Ukraine.

FOR THE NATIONAL AGENCY ON CORRUPTION PREVENTION

- To expand areas of cooperation with the Ministry of Education and Science of Ukraine on the development of standards of integrity of higher education institutions.
- In cooperation with the Ministry of Education and Science of Ukraine, to develop a model higher education institution anti-corruption programme.
- To strengthen the coordination of work of the authorized unit on prevention and detection of corruption of the Ministry of Education and Science of Ukraine in terms of its interaction with the commissioners of higher education institutions.
- To strengthen cooperation with the administration of higher education institutions on organizing effective anti-corruption work.

FOR HIGHER EDUCATION INSTITUTIONS

- To monitor the anti-corruption work of higher education institutions in terms of logistic arrangements and regulation of the work status of the anti-corruption commissioner.
- For anti-corruption commissioners, with the support of administration of higher education institutions, to regularly assess corruption risks in higher education institutions and develop measures to minimize them.
- To appoint to the position of anti-corruption commissioner (or as job sharing) the persons that meet the requirements of the occupational standard «Anti-Corruption Commissioner».⁸

7. More detailed recommendations based on the findings of the study are given in the last section herein.

8. Occupational standard «Anti-Corruption Commissioner»: <https://bit.ly/39aLZx0>

- To review internal anti-corruption and academic integrity policies for the effectiveness of procedures and mechanisms for responding to corruption. To make appropriate changes, if necessary.
- To develop a mechanism to protect the rights of whistleblowers in higher education institutions in order to minimize the negative implications for students and staff that report corruption or have an active civic position and publicly declare it (organization of peaceful meetings against unlawful construction, corruption in the economic activity of higher education institutions, etc).
- To introduce a unified electronic system of educational process management, which minimizes human participation in technical processes and ensures communication on issues related to the educational process using corporate means of communication. *Examples of such systems are Blackboard, Moodle, Brightspace, LearnDash, and others.*
- To develop, pilot, implement on an ongoing basis the training of staff and students to work with the electronic educational process management system.
- To review and update (if necessary) the existing documents and procedures for determining the regularity, content and modality for conducting anonymous surveys of students and lecturers regarding possible corruption manifestations or risks during the educational process. To clearly define actors that will conduct such surveys. To entrust the coordination of such surveys to anti-corruption commissioners of education institutions. Also, to consider the possibility of involving external experts (in the field of sociology, psychology) in conducting such regular surveys. To determine a clear and understandable procedure for processing and responding to the results of such surveys.
- To produce and distribute easy-to-understand (visualized, schematic, animated, etc.) materials about the students' rights in the educational process, which would relate to both the implementation of the curriculum and the protection of rights in problematic situations – current contact details of authorized persons, communication channels, etc).

CORRUPTION RISKS

EDUCATIONAL PROCESS



Risk 1. Malpractice during entrance exams

Since 2006, it is possible to enter most Ukrainian universities and many majors by successfully passing an external independent evaluation.

At the same time, there are still majors (*for example, in arts or sports*) for which the entrants are enrolled based on the results of a creative competition or professional entrance exam.⁹ The annual conditions for admission to higher education, which are approved by the MoES¹⁰ (hereinafter referred to as the conditions for admission to education), contain only general rules regarding the admission, which the higher education institutions detail in their internal Admission Rules. **The MoES does not set requirements regarding the quality of criteria, the structure of evaluation, or the form of creative or professional exams.**

The programs of creative contests and professional entrance exams, the evaluation structure and procedure are developed and approved by the heads of admission commissions. This information is published on university websites. **However, often, the criteria, procedure and structure of evaluation of the preparedness of entrants are not clear. This gives the admission commissions broad discretionary powers and an opportunity to exert undue influence on such evaluation.**

9. Creative competition is a form of entrance exam, which involves checking and evaluating the creative and/or physical abilities of entrants, necessary for obtaining higher education in a certain major (design, fine arts, physical culture and sports, law enforcement, etc.).

Professional entrance exam is a form of exam for admission based on the obtained (or such that is being obtained) degree or educational and qualification level of higher education, which involves checking the ability to master the educational program of a certain level of higher education on the basis of previously acquired competencies.

10. Conditions for admission to higher education 2022: <https://bit.ly/39k1ZNe>

For example, the professional entrance exam for entrants willing to obtain a junior bachelor's degree or enter the educational programs with a shortened period of study on the basis of an educational degree of a junior specialist/bachelor is often passed as a regular written exam without the use of automated results processing systems¹¹ and exam results are «manually» checked by members of the admission commission. The lack of a legal framework or a mandatory intra-university policy to conduct such entrance exams using automated systems, or with mandatory publication of the results, a clear procedure for appeal to other admission commission is a source of corruption risk.

The members of admission commissions may demand an improper benefit from entrants during such exams or receive an offer of its provision for unlawful influence on the evaluation results. Such an influence may be manifested *in the advance provision of correct answers/replacement of the entrant's work/addition of answers in the examination work/provision of the opportunity to cheat, etc.* In addition, higher education institutions' staff may exert undue influence on members of admission commissions, so that the latter unjustifiably overestimate or, on the contrary, underestimate the grades of entrants.



CORRUPTION RISK FACTORS

1. Inadequacy of regulation of the work of admission commissions that conduct creative competitions/accept sports standards or professional exams for admission to higher education institutions or to educational programs within higher education institutions: annual conditions for admission to higher education institutions approved by the MoES, internal documents of higher education institutions.
2. Discretionary powers of admission commissions that accept these types of entrance exams.
3. Vagueness of the form, criteria and structure of evaluation, rules of entrance exams (creative competition/sports standards/professional tests)/internal exams.
4. Dishonesty of members of admission commissions that accept such entrance/internal exams, higher education institutions' staff, or entrants.
5. Untimely publication of the program of entrance exams on the education institution's website, which makes it impossible for entrants/students to prepare

11. Automated education systems allow conducting electronic testing or electronic personal evaluation by members of the admission commission. It can also be other technological solutions allowing to minimize or control the subjectivity in evaluation.

well for passing them.

6. Formality and inefficiency of the appeal procedure in case of entrant's disagreement with evaluation results.



IMPLICATIONS

Strategic:

- Distortion of results of entrance exams: either enrolling dishonest students to higher education institutions, or incorporating an additional link of «bribery» during the admission campaign, which is conducted according to the procedures listed above, respectively – corrupting the educational environment.
- Corruption pressure on entrants/students and their parents.
- Violation of the rights of educational process participants to fair and equal conditions of admission to higher education institutions.
- Formation among future students and their parents of perception of the corruptness of higher education institutions and the possibility to address any issues related to the educational process through undue influence or improper benefits.

Corruption-related and other legal implications:

- Fraud (Art. 190 of the CCU¹²).
- Bribery of a member of staff of an enterprise, institution or organization (Art. 354 of the CCU).
- Acceptance of an offer, promise or receipt of an improper benefit by an official (Art. 368 of the CCU).
- Bribery of an official of a legal entity of private law, regardless of the organizational and legal form (Art. 368-3 of the CCU).
- Offering, promising or providing an improper benefit to an official (Art. 369 of the CCU).
- Abuse of influence (Art. 369-2 of the CCU).
- Violation of requirements for the prevention and settlement of the conflict of interest (Art. 172-7 of the CUAO)¹³.

12. Hereinafter «CCU» – Criminal Code of Ukraine.

13. Hereinafter «CUAO» – Code of Ukraine on Administrative Offenses.

- Unlawful use of information that has become known to a person in connection with the exercise of official or other legally defined powers (Art. 172-8 of the CUAO).
- Disciplinary liability, including the dismissal of a person from the position.
- The information on persons that committed corruption or corruption-related offenses is entered in the Register of Corruptors (Art. 59 of the Law of Ukraine on Prevention of Corruption).



CASE

During the admission campaign of 2018, the mother of one of the entrants was suggested by the admission commission of the college of the national university to contact an ecology lecturer for advice on admission. During such a “consultation”, the lecturer assured that without a bribe, the victim’s daughter would not be able to enter the college, and offered help in taking the entrance exams.

She explained that for admission it is necessary to take professional exams in mathematics and the Ukrainian language, and she could address the director for support with positive evaluation.

The victim filed a complaint with the Prosecutor’s Office. The lecturer was detained during the transfer of funds. The court found her guilty¹⁴ of committing the crime envisaged by Part 2 of Art. 15, Part 1 of Art. 190 of the Criminal Code of Ukraine (Fraud) and Part 4 of Art. 27, Part 2 of Art. 15, Part 1 of Art. 369 of the Criminal Code (Offering, promising or providing an improper benefit to an official).



According to the results of a nationwide survey of students, **40% of the 499 respondents** were aware of cases of interference by higher education institutions’ staff in the work of admission commissions during internal entrance exams. And **49% of respondents** noted that they were aware of the possibility to cheat during internal entrance exams or receive the tasks in advance.

14. Verdict: <https://bit.ly/3mlrDyd>



Risk 2. Malpractice by university staff related to the admission of foreigners

Admission of foreigners and stateless persons to higher education institutions is carried out in accordance with the Laws of Ukraine on:

- «Higher Education»¹⁵,
- «Legal Status of Foreigners and Stateless Persons»¹⁶,
- «Ukrainians Worldwide»¹⁷,
- «Refugees and Persons in Need of Additional or Temporary Protection»¹⁸,
- Decree of the Ministry of Education and Science of Ukraine No. 1541 of November 1, 2013 «Certain aspects of organization of enrollment and training (internship) of foreigners and stateless persons»¹⁹,
- Conditions for admission to higher education institutions, which are approved annually by the MoES²⁰ and the internal rules for admission to higher education institutions.

The procedure for admitting a foreign student is quite bureaucratic²¹ and consists of several stages.

1. Having chosen an education institution and a major, a foreign entrant must collect a package of necessary documents, **apply to the higher education institution for an invitation to study, which gives the foreigner the right to enter the territory of Ukraine for the purpose of obtaining education.**

15. Law of Ukraine on Higher Education: <https://zakon.rada.gov.ua/laws/show/1556-18#Text>

16. Law of Ukraine on Legal Status of Foreigners and Stateless Persons: <https://bit.ly/3xFEI7t>

17. Law of Ukraine on Ukrainians Worldwide: <https://zakon.rada.gov.ua/laws/show/1582-15>

18. Law of Ukraine on Refugees and Persons in Need of Additional or Temporary Protection: <https://zakon.rada.gov.ua/laws/show/3671-17#Text>

19. Decree of the Ministry of Education and Science of Ukraine No. 1541 of November 1, 2013 «Certain aspects of organization of enrollment and training (internship) of foreigners and stateless persons»: <https://bit.ly/3xE02EF>

20. Conditions for admission to higher education institutions: <https://bit.ly/3xFceFl>

21. In June 2021, the Cabinet of Ministers of Ukraine issued a Resolution No. 686 of 16.06.2021 on Implementation of a Pilot Project on Enrollment to Higher Education and Training (Internship) Institutions of Foreigners and Stateless Persons using the Unified Interdepartmental Information System on the Enrollment of Foreign Entrants to Higher Education Institutions: <https://bit.ly/3zw3H9a>. This project was initiated by the Ministry of Education and Science and the Ministry of Digital Transformation and is aimed both at simplifying the admission procedure for foreign students and related interdepartmental coordination, and at protecting foreign students and stateless persons. It is designed for two years. In particular, foreign students can create personal electronic accounts allowing them to receive electronic invitations, monitor the progress of their studies, payment for studies, etc. However, the effectiveness of this pilot will be objectively assessed upon completion of the project.

2. Foreigners enrolling in studies must have a D type entry visa, to obtain which it is necessary to apply to the Consulate of Ukraine in their country, submit an application, **receive an invitation to study**, as well as a package of necessary documents. Accordingly, without the invitation from a higher education institution, the student will not receive the required visa. It is at this stage that higher education institutions may abuse this requirement and impose additional conditions on foreign entrants, and university staff may demand additional payment or other improper benefits.
3. After receiving a visa to Ukraine, a foreigner must notify the education institution that issued the invitation of the date of their arrival in Ukraine.

In addition, foreign students should have a good command of the language of study in order to learn the educational material. **The level of language proficiency is confirmed by the admission commission of the education institution.** Students who do not speak Ukrainian may be given an opportunity to take a language course and general subjects at a preparatory department of a higher education institution.

Upon successful completion of language training, the foreigner receives a certificate of graduation from the preparatory department. However, there are no uniform standardized requirements for the procedure and criteria for checking the level of language proficiency. This also gives rise to significant discretion of higher education institutions and members of admission commission, and can be a source of corruption risks (for example, offering or demanding improper benefits for formal confirmation of the level of language proficiency or enrollment in preparatory courses / their formal completion).

Another source of corruption risk may be the financial interest of higher education institutions in attracting foreign students. This is due to the fact that the fee for their education is often much higher (sometimes twice) than for Ukrainian students²². This may cause a situation, where university staff will resort to various methods, including corrupt ones, to attract foreign students.

22. For example, full-time undergraduate course at the National University of Physical Training and Sports for Ukrainian students in the 2021-2022 academic year was a maximum of UAH 32,000 per year: <https://vstup.uni-sport.edu.ua/#cost>, while for foreign students the cost of such course in 2020-2021 was UAH 50,600: <https://vstup.uni-sport.edu.ua/#cost>.



CORRUPTION RISK FACTORS

1. Lack of a normative definition of the procedure, criteria and forms of testing foreign students' knowledge of the language of study.
2. Discretion of universities regarding the determination of conditions for admission, enrollment in preparatory courses, tuition fees and the list of other paid services for foreign students.
3. Lack of external control over the cost of study offered by universities to foreign students.
4. Dishonesty of university staff or foreign entrants.
5. Lack of clear internal regulation of the process of foreign students' study in universities.
6. Lack of legal restrictions on the number of attempts to take preparatory courses at universities.



IMPLICATIONS

Strategic:

- Enrollment of foreign students that do not actually speak the language of instruction. This creates significant pressure both on education seekers and on educators and negatively affects the quality of higher professional education.
- Corruption pressure on foreign entrants.
- Violation of the rights of participants in the educational process.
- Loss of the image of higher professional education in Ukraine among the foreign community; formation of the perception of Ukrainian education as corrupt and of poor quality.

Corruption-related and other legal implications:

- Fraud (Art. 190 of the CCU).
- Bribery of a member of staff of an enterprise, institution or organization (Art. 354 of the CCU).

- Abuse of power or office (Art. 364 of the CCU).
- Acceptance of an offer, promise or receipt of an improper benefit by an official (Art. 368 of the CCU).
- Bribery of an official of a legal entity of private law, regardless of the organizational and legal form (Art. 368-3 of the CCU).
- Offering, promising or providing an improper benefit to an official (Art. 369 of the CCU).
- Violation of requirements for the prevention and settlement of the conflict of interest (Art. 172-7 of the CUAO).
- Unlawful use of information that has become known to a person in connection with the exercise of official or other legally defined powers (Art. 172-8 of the CUAO).
- Disciplinary liability, including the dismissal of a person from the position.
- The information on persons that committed corruption or corruption-related offenses is entered in the Register of Corruptors (Art. 59 of the Law of Ukraine on Prevention of Corruption).



CASE

In June 2020, Kyiv police investigators detained the vice-rector of one of Kyiv's private higher education institutions. The law enforcement officers established that the educator demanded UAH 224,000 of improper benefits for the admission of foreigners to the university and the resolution of the issue of obtaining visas, which give them permission to enter the territory of Ukraine. The vice-rector was detained in the premises of the university immediately after he received the specified amount of funds for issuance of documents for 8 foreigners.²³



According to the results of a nationwide survey, **30% out of 499 of students indicated** cases where foreign students were enrolled in higher education institutions without adequate knowledge of the language of instruction

23. «The vice-rector of one of the universities, exposed for receiving a bribe of UAH 224,000, will be prosecuted in Kyiv»: <https://bit.ly/3zC9rON>



Risk 3. Mediation in the enrollment of foreign students

In order to organize the enrollment of foreign students, the Ministry of Education and Science of Ukraine established a state enterprise Ukrainian State Center for International Education²⁴. Often, the advisory services on admission are provided to foreign nationals by education institutions, but **intermediary companies may also be engaged on a contractual basis.**

Intermediary and advisory services may include assistance in obtaining visas and/or Ukrainian residence permits, submitting documents to the university, delivering invitations to entrants, booking time at the Ukrainian consulate, purchasing plane tickets, arranging a meeting, etc.

Education institutions provide such services free of charge, and intermediaries charge foreigners additional fees. Under such circumstances, the practice of referring foreigners from education institutions to intermediary companies with which higher education institutions concluded relevant contracts is common. This may create the risk of informal arrangements between university staff and intermediary companies for “profit sharing” or “commission” on funds paid to intermediary companies by foreign entrants.



CORRUPTION RISK FACTORS

1. Lack of available and complete information about the entry procedure and conditions of legal stay, admission and study of foreign students in Ukraine, their rights and obligations.
2. Lack of proper regulation and administration of the proper advisory support and accompaniment of foreign entrants and students in higher education institutions.
3. Activities of intermediary companies that provide consulting services to foreign students, lack of control over their activities and the possibility for higher education institutions to refer foreign students to intermediary companies to receive consulting services.
4. Dishonesty of university staff, representatives of intermediary companies or foreign entrants that are looking for any opportunity to enter the country and stay in it.

24. The official website of the Ukrainian State Center for International Education: <https://studyinukraine.gov.ua/>



IMPLICATIONS

Strategic:

- Violation of the rights of foreign entrants.
- Corruption pressure on foreign entrants.
- Loss of the image of higher professional education in Ukraine among the foreign community; formation of the perception of Ukrainian education as corrupt and of poor quality.

Corruption-related and other legal implications:

- Fraud (Art. 190 of the CCU).
- Bribery of a member of staff of an enterprise, institution or organization (Art. 354 of the CCU).
- Forgery of documents, seals, stamps and forms, sale or use of forged documents, seals, stamps (Art. 358 of the CCU).
- Abuse of power or office (Art. 364 of the CCU).
- Acceptance of an offer, promise or receipt of an improper benefit by an official (Art. 368 of the CCU).
- Bribery of an official of a legal entity of private law, regardless of the organizational and legal form (Art. 368-3 of the CCU).
- Offering, promising or providing an improper benefit to an official (Art. 369 of the CCU).
- Unlawful use of information that has become known to a person in connection with the exercise of official or other legally defined powers (Art. 172-8 of the CUAO).
- Disciplinary liability, including the dismissal of a person from the position.
- The information on persons that committed corruption or corruption-related offenses is entered in the Register of Corruptors (Art. 59 of the Law of Ukraine on Prevention of Corruption).



CASE

Since 2019, a group of investigators of the Investigation Division of the National Police Department in the Kirovohrad Oblast has been conducting a pre-trial investigation of

a criminal case based on grounds of a criminal offense envisaged in Part 3 of Art. 190 (Fraud), Part 4 of Art. 190, Part 1 of Art. 364 of the Criminal Code of Ukraine (Abuse of power or office. The reason for opening the case was the appeal of foreign students about the commission of unlawful actions against them by officials of one of the Ukrainian medical universities and the staff of the intermediary company. According to the investigation, an international medical department was established at the university, at the Dean's office of which the representatives of the intermediary company worked together with the university staff. When entering the university, entrants concluded tripartite contracts with the education institution and the intermediary company.

According to the terms and conditions of the contract, foreigners paid money for services on issuance of documents for admission and study through an intermediary company. The cost of study indicated in the contracts was overestimated several times.²⁵



Risk 4. Malpractice during taking missing credits

The procedure for resumption of studies is regulated by Art. 46 of the Law of Ukraine on Higher Education²⁶ and the Regulation on the Procedure for Transfer, Expulsion and Renewal of Students of Higher Education Institutions, approved by the Decree of the Ministry of Education of Ukraine No. 245 of 15.07.96.²⁷ In addition, the procedure for renewal can be detailed in the internal acts of higher education institutions.

In the case of renewal or admission to a different year of study than the first, the enrollment in the education institution is carried out after taking missing credits. The number of missing credits is determined by the Dean's office of the department/institute by comparing the academic certificate or study card with the curriculum.

At the same time, it should be borne in mind that according to the Methodological Recommendations of the MoES²⁸, the number of missing credits per year may not exceed 20 ECTS credits. If the number of missing credits is greater, then the person may be renewed for a course lower than the one from which they were expelled.

25. «Corruption kills: how making money off foreign students is destroying a medical university»: <https://bit.ly/3HhmN4Q>

26. Law of Ukraine on Higher Education: <https://zakon.rada.gov.ua/laws/show/1556-18#Text>

27. Decree of the Ministry of Education of Ukraine No. 245 of 15.07.1996 on Approval of the Regulation on Transfer, Expulsion and Renewal of Students of higher education institutions: <https://bit.ly/3MFXgD9>

28. Letter of the MoES No. 1/0-119 of 20.02.2010 on Methodological Recommendations for the Implementation of the European Credit Transfer and Accumulation System and its Key Instruments in Higher Education Institutions: <https://bit.ly/3QfHbaA>

Persons entering to obtain a bachelor's degree on the basis of educational and qualification level of junior specialist, specialist or junior bachelor may enroll in the first course with a shortened period of study or in the second or senior courses with a standard period of study within the scope of the license.

For such persons, the higher education institution may recognize the ECTS credits, the maximum number of which is determined by the standard bachelor's degree (in the absence of a standard, no more than 120 ECTS credits). At the same time, the subjects that were not studied at the previous place of study, but are included in the curriculum of the education institution, shall be defined as missing credits.

The number of missing credits, procedure and timeframe for their taking when transferring/renewing students or for students that are studying under a shortened period of study are determined by the relevant Dean's offices.

As a rule, universities do not have an automated or unified system of verification of the extent of training of a person that takes missing credits. The processing of documents is carried out «manually», same as the taking of missing credits. Also, there is practically **no control over the way the educators accept the missing credits.**

The above gives rise to a number of corruption risks: the possibility of offering or demanding improper benefits by the staff of the Dean's office or administration of the departments for assistance in taking missing credits.

For example, the dean or the chair of the relevant department may «ask» their subordinates to accept the relevant credits loyally and with minimal requirements. For such a service, the entrant may «thank» the dean or other representative of the administration, or they may exert such pressure in the context of a conflict of interest with students that take missing credits. The same thing may happen with individual educators – when the entrant does not actually take a credit, but will receive a score for money.

In addition, the lecturers' individual work with students during the acceptance of missing credits is **mostly unpaid, and the timeframes are often quite short** (the student or the Dean's office may put the lecturer in front of a fact that it is necessary to «accept the missing credits» within a week or two, for example). This is an additional «incentive» for lecturers to formally accept the credits in exchange for improper benefit.



CORRUPTION RISK FACTORS

1. Discretionary powers of the Dean's offices in determining the number of missing credits.
2. Dishonesty of university lecturers/staff and students.
3. Lack of clear internal regulation of the acceptance of missing credits, in particular, in terms of the wide discretion of lecturers regarding the nature of tasks.
4. Lack of remuneration for lecturers for accepting missing credits.
5. Limited timeframes of for accepting missing credits.
6. Lack of control over the taking of missing credits (compliance and quality of completed tasks).



IMPLICATIONS

Strategic:

- Violation of the rights of participants in the educational process.
- Violation of the rights of educators.
- Decrease in the quality of education and qualification of graduates of higher education institutions.
- Formation of a tolerant attitude towards corruption among young people.
- Formation of a negative image of the Ukrainian higher education system.

Corruption-related and other legal implications:

- Fraud (Art. 190 of the CCU).
- Abuse of power or office (Art. 364 of the CCU).
- Acceptance of an offer, promise or receipt of an improper benefit by an official (Art. 368 of the CCU).
- Bribery of an official of a legal entity of private law, regardless of the organizational and legal form (Art. 368-3 of the CCU).
- Offering, promising or providing an improper benefit to an official (Art. 369 of the CCU).

- Abuse of influence (Art. 369-2 of the CCU).
- Violation of requirements for the prevention and settlement of conflict of interest (Art. 172-7 of the CUAO).
- Unlawful use of information that has become known to a person in connection with the exercise of official or other legally defined powers (Art. 172-8 of the CUAO).
- Disciplinary liability, including the dismissal of a person from the position.
- The information on persons that committed corruption or corruption-related offenses is entered in the Register of Corruptors (Art. 59 of the Law of Ukraine on Prevention of Corruption).



CASE

Staff of the Department of Economic Protection in the Dnipropetrovsk Oblast discovered the criminal activity of the associate professor of the higher education institution department in Kryvyi Rih. She demanded USD 800 for positive acceptance of credits. The Prosecutor's Office of the Dnipropetrovsk Oblast opened a criminal case under Part 3 of Art. 369-2 (Abuse of influence) of the CCU. As part of the proceedings, the law enforcement officers documented the fact of receiving the first part of improper benefit – USD 400.²⁹



During the assessment of corruption risks of **5 pilot universities** of the Project, focus group discussions were conducted with students that are studying under a reduced term of study. In the course of communication, the students noted that very little time was given for taking the missing credits – two to three months of the first academic semester. At the same time, they were to also study subjects already taught in the corresponding academic year. And although they were not aware of cases of abuse at their universities, they saw great risks of corruption violations due to the complexity of the procedure and time constraints

29. «In Kryvyi Rih, an associate professor of the institute was caught taking a bribe»: <https://bit.ly/3OqDPjI>



Risk 5. Demanding/providing improper benefits in exchange for grades

The standards and recommendations for quality assurance in the European Higher Education Area (ESG)³⁰, Laws of Ukraine on Education³¹, and on Higher Education³² recognize the right of education seekers to a fair and objective evaluation of learning outcomes. They also establish a number of criteria that contribute to a fair, transparent and objective evaluation of education seekers throughout their learning.

The procedure of evaluation of students' knowledge is large-scale and covers a significant number of processes and persons involved:

- current evaluation during practical, laboratory or other similar classes;
- intermediate or final control, module or credit evaluation;
- scientific (course, diploma, master's) or research (experimental) works;
- practical training;
- taking state exams.

At the same time, higher education institutions have broad powers in regulating the evaluation process.

If the university does not have a formed anti-corruption culture and policies, control over the instruction and evaluation, appeal procedures and adequate response to manifestations of corruption, the internal regulation of the process and implementation of evaluation techniques alone will not ensure the appropriateness of such an evaluation.

The broad powers of lecturers with regard to evaluation methods on the one hand and the lack of tools for validation (control) of evaluation on the other contribute to potential malpractice during the educational process. At the same time, the initiators of «circumvention of procedures» can be both education seekers and educators, the institution's administration.

The practice of demanding/offering/providing improper benefits for the successful evaluation of various types of student works is, unfortunately, one of the most

30. Standards and recommendations for quality assurance in the European Higher Education Area (ESG). Approved by the Ministerial Conference in Yerevan, May 14-15, 2015: <https://bit.ly/39owy4n>

31. Law of Ukraine on Education: <https://zakon.rada.gov.ua/laws/show/2145-19#Text>

32. Law of Ukraine on Higher Education: <https://zakon.rada.gov.ua/laws/show/1556-18#Text>

common manifestations of corruption in higher education.

The risk of corruption during the evaluation of knowledge of higher education seekers may manifest itself, at least, in the following:

1. The possibility of demanding or receiving improper benefits by lecturers for successful evaluation of students during the current and final knowledge control, taking credits and exams, defense of research, laboratory works, practice reports, state exams and other types of evaluation within the curriculum (*hereinafter – successful evaluation*).
2. The opportunity for lecturers to demand or receive improper benefits from students for completing credit-examination works instead of students.
3. The possibility of abuse of authority and receiving improper benefits by the dean of the department/director of the institute/chair of the department for overestimating or falsifying learning outcomes by influencing the decision of lecturers subordinate to them.
4. The possibility of biased evaluation by lecturers of individual students based on the request from university staff or other influential or related persons for their relatives.



CORRUPTION RISK FACTORS

1. Low level or lack of a formed corporate and anti-corruption culture in a higher education institution.
2. Lack of an electronic system for managing the educational process and an electronic journal for recording student performance or lack of control over such system.
3. Lack of information about the educational process, content of the curricula, evaluation criteria on the website or other educational platforms of higher education institutions.
4. Insufficient clarity of criteria for evaluating students' knowledge or non-compliance with such criteria.
5. Dishonesty of institution's administration, educators and/or education seekers.
6. Lack of a formalized regular system for evaluating the quality of instruction (anonymous student surveys through Google or other tools),

lack of a clear procedure for processing the evaluation results, and an appropriate response to declared or found corruption and other offenses.

7. Fear of disclosure of corruption manifestations and lack of appropriate response to corrupt or corruption-related actions of staff and students of the education institution.
8. Toleration of corruption in the educational process by various groups of participants in the educational process (lecturers, administrators, education seekers).



IMPLICATIONS

Strategic:

- Violation of the rights of participants in the educational process.
- Decrease in the quality of education and qualification of graduates of higher education institutions.
- Formation of a tolerant attitude towards corruption among young people and society as a whole.
- Formation of a negative image of the Ukrainian higher education system.

Corruption-related and other legal implications:

- Fraud (Art. 190 of the CCU).
- Bribery of a member of staff of an enterprise, institution or organization (Art. 354 of the CCU).
- Abuse of power or office (Art. 364 of the CCU).
- Acceptance of an offer, promise or receipt of an improper benefit by an official (Art. 368 of the CCU).
- Bribery of an official of a legal entity of private law, regardless of the organizational and legal form (Art. 368-3 of the CCU).
- Offering, promising or providing an improper benefit to an official (Art. 369 of the CCU).
- Violation of requirements for the prevention and settlement of conflict of interest (Art. 172-7 of the CUAO).

- Disciplinary liability, including the dismissal of a person from the position.
- The information on persons that committed corruption or corruption-related offenses is entered in the Register of Corruptors (Art. 59 of the Law of Ukraine on Prevention of Corruption).



CASE

The chair of the department of one of the state education institutions, in exchange for improper benefit in the amount of UAH 8,000, provided a ready-made text of a coursework to a correspondence student, as well as answers to the questions of the control test. The court found her guilty³³ under Part 1 of Art. 368 of the Criminal Code of Ukraine (Acceptance of an offer, promise or receipt of an improper benefit by an official).



According to the results of a national survey of students conducted by the Association of Legal Clinics of Ukraine in September 2021, **51.7% of 499 students** noted that they were aware of cases when individual lecturers received bribes during exams/credits/other types of student knowledge control.



Risk 6. Involvement of intermediaries in order to obtain improper benefits during the evaluation of students (trainees)

Ukrainian legislation envisages mandatory participation of students in decision-making at all levels in the higher education system. The Law of Ukraine on Higher Education³⁴ (Art. 40) establishes the right and power of students (trainees, except for military cadets) to resolve issues related to education and living conditions, protection of the rights and interests of students, as well as to participate in the management of the university — that is, to exercise student self-governance.

In accordance with this Law, student self-governance bodies may have various forms of organization (parliament, senate, headmen, student rectorate, student deanship, student councils, etc).

33. Verdict: <https://cutt.ly/NKtadwD>

34. Law of Ukraine on Higher Education: <https://zakon.rada.gov.ua/laws/show/1556-18#Text>

Among the mentioned forms of organization, in Ukrainian higher education institutions, the most common is headmen. The activity of headmen is not regulated by legislation. The tasks, rights and duties of the headman of the group are regulated exclusively by local acts of education institutions. In most universities, the main task of the headmen is the coordination of students, ensuring and protecting their rights and interests, assisting in creating the necessary conditions for educational activities, living and leisure of students.

At the same time, the headman of the group is defined as a representative of the directorate/Dean's office for the organizational support of the educational process in the academic group and for managing the group, while being involved in all activities conducted by the administration of the institute/department and the university. The headman represents the interests of students of the group in the directorate/Dean's office and in the departments.

The most common tasks of the headman of the group include:

- communication between students of the group and lecturers of the relevant department/directorate/Dean's office on educational issues;
- informing the students of the group about the decisions of the administration of the education institution and student self-governance bodies;
- ensuring the participation of group students in events held at the institute/department and the university;
- informing student self-governance bodies and the administration of the education institution about violations of students' rights, potential conflicts with lecturers, other problems that are important for students, etc.

Thus, the **headman is one of the main mediators between the students of the group and lecturers and administration of the institute/department, as well as the higher education institution.** Unfortunately, there are still cases when such «mediation» through headmen is used for the organized collection of funds for positively taking exams on specific subjects or getting grades for other types of work.

In addition to headmen, **tutors (mentors) of groups, methodologists or laboratory assistants of departments, Dean's offices may perform a similar role.**

However, in the majority of investigated cases, when the receipt or transfer of an improper benefit occurs through mediation, the courts prosecute not the mediators, but other staff (lecturers that directly receive funds, heads of laboratories or departments, etc.).



CORRUPTION RISK FACTORS

1. Dishonesty of administration of the institution, educators, staff and/or headmen/tutors of student groups/laboratory assistants/methodologists, etc.
2. Transfer of information to students only through headmen/tutors of groups, lack of alternative channels of informing students.
3. Transferring responsibilities for the organization of educational process that are to be performed by structural units of the higher education institution (educational and methodological center, Dean's offices, departments, etc.) to the headmen.
4. Entrusting the headmen/tutors with additional tasks for individual work with students that have academic debts.
5. Actual access of headmen/methodologists (laboratory assistants) to data on students' performance and the possibility to make changes to such data.



IMPLICATIONS

Strategic:

- Violation of the rights of participants in the educational process.
- Distortion of the idea of student self-governance and its role in higher education institutions' management.
- Decrease in the quality of education and qualification of graduates of higher education institutions.
- Formation of a tolerant attitude towards corruption among young people.
- Formation of a negative image of the Ukrainian higher education system.

Corruption-related and other legal implications:

- Fraud (Art. 190 of the CCU).
- Bribery of a member of staff of an enterprise, institution or organization (Art. 354 of the CCU).
- Abuse of power or office (Art. 364 of the CCU).
- Acceptance of an offer, promise or receipt of an improper benefit by an official (Art. 368 of the CCU).

- Bribery of an official of a legal entity of private law, regardless of the organizational and legal form (Art. 368-3 of the CCU).
- Offering, promising or providing an improper benefit to an official (Art. 369 of the CCU).
- Violation of requirements for the prevention and settlement of conflict of interest (Art. 172-7 of the CUAO).
- Unlawful use of information that has become known to a person in connection with the exercise of official or other legally defined powers (Art. 172-8 of the CUAO).
- Disciplinary liability, including the dismissal of a person from the position.
- The information on persons that committed corruption or corruption-related offenses is entered in the Register of Corruptors (Art. 59 of the Law of Ukraine on Prevention of Corruption).



CASE

In the spring semester of 2020, the chair of the department of one of the universities, through the headman of the group, regularly “collected” funds for assistance in taking the exams by correspondence students. Moreover, she used her official position to influence other lecturers. The court found her guilty³⁵ of the criminal offense envisaged in Part 1 of Art. 368 of the CCU (Acceptance of an offer, promise or receipt of an improper benefit by an official).



According to the results of a national survey of students conducted by the Association of Legal Clinics of Ukraine in September 2021, **33% of respondents noted** that they had encountered the situation, where headmen of groups collected money from students for successful taking of exams and handed it over to the department/Dean’s office.

35. Unified state register of court decisions: <https://reyestr.court.gov.ua/Review/96186785>



Risk 7. Imposition of own developments (tutorials) as a condition for positive evaluation

In accordance with Clause 36 of the Resolution of the Cabinet of Ministers of Ukraine on Approval of Licensing Conditions for Carrying Out Educational Activities³⁶ higher education institutions must ensure the availability of educators and/or academics for each educational component of the curriculum, taking into account the appropriateness of their educational and/or professional qualification.

The educators and academics ensuring the educational process must have at least four achievements in professional activity over the past five years, defined in Clause 38 of the Licensing Conditions. The indicated professional achievements include the publication activity of educators, main directions of their scientific and research work, research guidance to schoolchildren and students, civic activity, practical experience, etc.

The professional achievements of educators also include a published textbook or study guide (including electronic) or monographs and published educational and methodological tutorials, lecture notes, workshops, methodological instructions, other printed educational and methodological works (three, in total).

The duty of educators to prepare textbooks, tutorials and other printed works is additionally determined by job instructions and contracts. At the same time, there are cases when the **quality of developments is checked only formally, same as the process of their review.**

Despite the opportunity to develop electronic textbooks and tutorials and the spread of digital libraries, **most lecturers are still obliged to publish their developments.** Given the decline in funding of university activities, the costs of publication are covered by the authors, which forces them to look for someone to sell the textbook to in order to reimburse the costs of publication.

On the other hand, the lecturers may impose their developments due to personal financial interest and sell even those books or tutorials that were published at the expense of the university.

The above results in the fact that students are forced to buy the materials, the quality of which has no significant educational or scientific value.

36. Resolution of the Cabinet of Ministers of Ukraine on Approval of Licensing Conditions for Carrying Out Educational Activities No. 1187 of December 30, 2015: <https://zakon.rada.gov.ua/laws/show/1187-2015-%D0%BF#top>



CORRUPTION RISK FACTORS

1. Formalization of research activities of lecturers.
2. Lack of control over checking the relevance and value of the educational material of the textbooks/tutorials, their scientific and methodological level.
3. Formal nature of review of textbooks/tutorials.
4. Lack of the obligation to check all printed research, educational and methodological works for plagiarism.
5. Dishonesty of educators.



IMPLICATIONS

Strategic:

- Violation of the rights of participants in the educational process.
- Devaluation of scientific work in higher education institutions.
- Formation of a negative image of domestic science due to a large number of works of low quality and/or containing plagiarism.
- Formation of a tolerant attitude among young people towards manifestations of petty corruption.
- Formation of a negative image of the Ukrainian higher education system.

Corruption-related and other legal implications:

- Disciplinary liability, including the dismissal of a person from the position.
- The information on persons that committed corruption or corruption-related offenses is entered in the Register of Corruptors (Art. 59 of the Law of Ukraine on Prevention of Corruption).



CASE

According to the *Corruption in Education Portal*,³⁷ lecturers imposing their developments on students is a common practice in one of the Chernivtsi universities. According to reports, foreign language lecturers offer all first-year students to buy a book for UAH 300. They note that the tasks may be completed only based on it, because the available electronic versions and versions of previous years do not contain the necessary information on the subject. The lecturers modify and publish such books from year to year and constantly impose them on first-year students so that they cannot buy them from seniors.



According to the results of a nationwide survey of students, **40% of 499 respondents noted** that they were aware of cases when lecturers encouraged their students to buy research literature authored by staff of the department where the lecturer worked.



Risk 8. Using official position to influence lecturers and staff

Violation of principles of honest, transparent and objective evaluation of learning outcomes of education seekers may occur due to the use of official position and influence on subordinate lecturers and staff.

Administrative influence on the decisions of subordinate lecturers aimed at overestimating or falsifying the learning outcomes of certain students may be exerted both by the **top management of the education institution** (rector, vice-rectors) and **middle managers** (deans of departments/directors of institutes/chairs of departments).

Another form of such influence may be **friendly relations among staff**. This is how the staff of departments/Dean's offices or other units may receive improper benefits for mediation between lecturers and students with regard to evaluation of learning outcomes.

Some types of work require collegial evaluation by lecturers (*for example, coursework or practical training, etc*). However, evaluation of such work is usually the responsibility of only one lecturer. Accordingly, often such **collegial evaluation is purely formal**:

37. Historical bribes at the Department of History, Political Science and International Relations of Chernivtsi National University: <https://www.facebook.com/narodcv/posts/235165388295029>

the work is checked by only one lecturer who is paid for such work, and the others simply put their signatures on the relevant document.

Non-objective evaluation by lecturers of individual students may also occur due to personal requests by university staff or other influential or related persons for their relatives or friends.



CORRUPTION RISK FACTORS

1. Structure of the education institution and the powers of relevant units (for example, the role of the educational and methodological department, Dean's offices).
2. Level of internal culture of integrity and perception of corruption. This, inter alia, determines the level of influence on the evaluation (instructions or requests from management or colleagues or outsiders).
3. Ambiguity of internal evaluation procedures and their compliance (for example, real collegiality (*when several lecturers actually check a certain work, and not just put their signatures*), possibilities of peer to peer evaluation, appeal procedures in case of disagreement with the grade, etc).
4. The educational process management system (paper-based, digital, unified corporate system – for example, based on Moodle) and the level of integration of such a system into the educational process of a specific higher education institution.
5. Communication (communication channels) between the participants of the educational process and, first of all, between the lecturers and education seekers (through the headman or directly; corporate or casual (Telegram, Viber) means of communication, during the class hours or in extracurricular time, etc).



IMPLICATIONS

Strategic:

- Violation of the rights of participants in the educational process, both education seekers and lecturers.
- Decrease in the quality of education and qualification of graduates of higher education institutions.
- Formation of a tolerant attitude towards corruption among young people.

- Formation of a negative image of the Ukrainian higher education system.
- Decline in the higher education institution's reputation on the market of educational services.

Corruption-related and other legal implications:

- Abuse of power or office (Art. 364 of the CCU).
- Abuse of power by an official of a legal entity of private law, regardless of the organizational and legal form (Art. 364-1 of the CCU).
- Acceptance of an offer, promise or receipt of an improper benefit by an official (Art. 368 of the CCU).
- Bribery of an official of a legal entity of private law, regardless of the organizational and legal form (Art. 368-3 of the CCU).
- Offering, promising or providing an improper benefit to an official (Art. 369 of the CCU).
- Abuse of influence (Art. 369-2 of the CCU).
- Violation of requirements for the prevention and settlement of conflict of interest (Art. 172-7 of the CUAO).
- Unlawful use of information that has become known to a person in connection with the exercise of official or other legally defined powers (Art. 172-8 of the CUAO).
- Disciplinary liability, including the dismissal of a person from the position.
- The information on persons that committed corruption or corruption-related offenses is entered in the Register of Corruptors (Art. 59 of the Law of Ukraine on Prevention of Corruption).



CASE

In 2016, the head of the educational laboratory of one of the higher education institutions agreed with the director of the branch of the same institution that the latter would facilitate receiving improper benefits from students for positive evaluation of exams, as the head of the laboratory had influence on lecturers of the university. She also asked the director of the branch to provide the students with bank account details for transferring the funds.

The correspondence student of the branch received an offer from the director to agree with the head of the laboratory on the successful passing of spring exams without actual knowledge testing. But for this, the student needed to transfer UAH 3,200 to a bank account.

As a result, the head of the laboratory received the funds and, thus, committed a criminal offense envisaged in Part 2 of Art. 369-2 of the CCU (Abuse of influence).³⁸



Risk 9. Malpractice related to writing and preparing for the defense of qualification works

In accordance with the Law of Ukraine on Higher Education³⁹ higher education institutions develop curricula based on relevant educational programs. Such curricula determine the list and quantity of educational components in ECTS credits, their logical sequence, forms of organization of the educational process, types and quantity of educational classes, schedule of the educational process, forms of current and final control, which ensure achieving learning outcomes by education seekers.

Additional requirements for the content and procedure of certification of graduates are contained in the Standards of Higher Education by major. Depending on the requirements of the Standards, final certification may be in the form of passing a qualification exam or in the form of defending a final qualification work.

Graduation qualification work is an independent qualification research conducted by a student at the final stage of studies.

The procedure for conducting research, writing, checking and defending the qualification work is regulated by local acts of higher education institutions.

As a general rule, students write qualification works under academic supervision of lecturers of the relevant department. **The positive feedback of the academic supervisor is the admission of the student to the defense of the work.**

38. Verdict: <https://cutt.ly/PKtsyXi>

The justification for such a qualification in this case is given in the court decision: «while holding a position of the head of educational laboratory ... the person was in friendly relations with the staff of the specified higher education institution – deans, chairs of departments and lecturers of the specified higher education institution, who according to par. a, clause 2 of Part 1 of Art. 4 of the Law of Ukraine on Principles of Prevention and Combating Corruption and Notes to Art. 369-2 of the Criminal Code of Ukraine are persons authorized to perform the functions of the state, and as a result of joint work and long-term friendly relations, was able to exert unlawful influence on their decision-making regarding the acceptance of credits and exams taken by students of this education institution».

39. Law of Ukraine on Higher Education: <https://zakon.rada.gov.ua/laws/show/2145-19#Text>

The defense of final qualification works is accepted by panels and it takes place publicly. The public defense is preceded by a presentation of the work at the graduation department and a decision on its compliance with the established requirements and admission to the defense.

Accordingly, the process of preparation and defense of qualification works is influenced by the clarity and comprehensibility of the rules for writing the works; the transparency of the research quality assessment procedures at all stages; the availability of tools for checking the work for plagiarism; the motivation of the academic supervisor to organize the student's qualification research, etc.



CORRUPTION RISK FACTORS

1. Dishonesty of lecturers participating in the preparation of qualification works.
2. Formal work of the commission on ethics and academic integrity.
3. Gaps in methodological materials (provisions for composing written works): untimely updating; contradictory timeframes and requirements for the procedure for writing and defending qualification works.
4. Unreasonably high requirements for qualification works or untimely presentation of them to students, which leads to students' failure to write the works on their own.
5. Lack or insufficient control by the chair of the department over the work of supervisors of qualification works with students.
6. Discretionary powers of academic supervisors of qualification works and members of the qualification panel to determine the compliance of works with the established requirements and admission to defense.
7. Lack or formal nature of checking qualification works for plagiarism (Unicheck or other similar systems).



IMPLICATIONS

Strategic:

- Violation of the rights of participants in the educational process.
- Decrease in the quality of education and qualification of graduates of higher education institutions.

- Formal attitude toward written research works, creating a market for custom-made written works and tolerating plagiarism.
- Formation of a tolerant attitude towards corruption among young people.
- Formation of a negative image of the Ukrainian higher education system.

Corruption-related and other legal implications:

- Fraud (Art. 190 of the CCU).
- Abuse of power or office (Art. 364 of the CCU).
- Acceptance of an offer, promise or receipt of an improper benefit by an official (Art. 368 of the CCU).
- Bribery of an official of a legal entity of private law, regardless of the organizational and legal form (Art. 368-3 of the CCU).
- Offering, promising or providing an improper benefit to an official (Art. 369 of the CCU).
- Violation of requirements for the prevention and settlement of conflict of interest (Art. 172-7 of the CUAO).
- Disciplinary liability, including the dismissal of a person from the position.
- The information on persons that committed corruption or corruption-related offenses is entered in the Register of Corruptors (Art. 59 of the Law of Ukraine on Prevention of Corruption).



CASE

In 2018, an associate professor of the department of the national university, who acted as a supervisor of the diploma work, being aware of the difficulties facing the student during its writing, offered to help him write the relevant work and influence the chairman and members of the qualification panel to ensure successful defense of the work. For such assistance, the academic supervisor demanded an improper benefit in the amount of USD 800.

After receiving the unlawful demand, the student appealed to the law enforcement agency with the appropriate application and acted further under their control. The lecturer was detained during the transfer of funds.⁴⁰

40. Verdict: <https://cutt.ly/DKtssGK>

The court recognized the arguments of the Prosecutor's Office that the chairman and members of the qualification panel who accepted the state exams were persons authorized to perform the functions of the state, and therefore the actions of the associate professor of the department, who tried to influence their decision, should be qualified under Part 2 of Art. 369-2 of the CCU (Abuse of influence).



According to the results of a nationwide survey of students, **16% of 499 respondents noted** that they encountered bribery during the defense of a master's/diploma project, **26%** – that they were aware of cases of written works being accepted while they were actually lacking or not checked for plagiarism.



Risk 10. Abuse of office in the form of sexual harassment by lecturers or university administration for positive grades or protectorate («sextortion»)

Corruption in the higher education system may be manifested in various actions. Most of them are «classical» – demanding funds or gifts (improper benefits) for expected learning outcomes (positive evaluation, issuance of relevant documents, assistance in writing works or their admission to defense, etc).

However, improper benefits are not limited to tangible benefits. In accordance with the Law of Ukraine on Prevention of Corruption⁴¹ an improper benefit is money or other property, advantages, preferences, services, intangible assets, **any other benefits of an intangible or non-monetary nature** that are promised, offered, given or received without legal grounds.

In recent years, it is increasingly common to hear about sexually harassing conduct by lecturers toward education seekers or subordinates, mainly female. Such harassment may be manifested in a whole range of actions – from sexually explicit compliments on appearance (some parts of the body), «accidental» touching, to outright inducement to sexual relations or satisfying sexual needs in the presence of other people (female students, lecturers).

41. Law of Ukraine on Prevention of Corruption: <https://zakon.rada.gov.ua/laws/show/1700-18#n6>

Thus, managers may sexually harass lecturers as a condition for contract extension or provision of other privileges (housing, bonuses, protectorate, etc.).

The same may apply to education seekers, only instead of contract extension, it will be a positive evaluation on the subject or in general in the educational process (depending on who employs sexually harassing conduct).

With regard to higher education seekers, such a corruption risk may be manifested in the form of insinuation or solicitation of sexual favors by university lecturers or administration as a condition of admission or in exchange for a positive evaluation of students' learning outcomes or granting of other educational privileges.

With regard to educators – in the form of sexual harassment, insinuation or demanding sexual favors by university administration in exchange for a favorable attitude, positive evaluation of the educators' performance or granting other privileges at work.

The institution's administration is more likely to fire a lecturer for formal non-fulfillment of the terms and conditions of the contract or simply not renew the contract, than to admit that such dismissal is related to the facts of sexual harassment by such a lecturer.

Silencing manifestations of sexual harassment in the educational process leads to the fact that the administration or lecturers may use their position and abuse their authority in the future.

At the same time, both lecturers in relation to their managers and students in relation to the lecturers are actually in unequal relations and are the so-called «vulnerable (weaker) party».

If a victim of sexual harassment tries to oppose or threatens to report such incidents to the appropriate authorities, this may lead to a very negative attitude; lead to the dismissal/expulsion or creation of conditions when a person decides to leave.

Thus, sexual relations become an improper benefit. For this, a special term «sextortion» – *«a form of corruption in which sex is the currency of the bribe»* is used.⁴²

42. Corruption in universities: «Paths to integrity in the higher education subsector», 4U Anticorruption Resource Centre, CMI (Chr. Michelsen Institute), 2019, c. 12: <https://bit.ly/3xH66fM>. Also, sextortion is considered as one of the cybercrimes, a form of blackmail – distribution of videos or images of an intimate nature, if a person refuses to comply with certain instructions or demands: <https://www.thorn.org/sextortion/>.



CORRUPTION RISK FACTORS

1. Inadequacy (or lack) of internal procedures for compliance with ethics, non-discrimination, anti-corruption in the higher education institution and effective response to manifestations of sexual harassment by university educators or administration.
2. Subordination relations.
3. Victimization of sexual harassment victims.
4. Fear of disclosure due to fear of negative consequences, loss of both personal and corporate reputation, which lead to silencing of such cases or replacement of their qualification.
5. Confidence in impunity for committing sexual harassment.



IMPLICATIONS

Strategic:

- Violation of human rights and humiliation of human dignity.
- Violation of the rights of participants in the educational process.
- Causing and increasing psychological trauma in victims of sexual violence.
- Erosion of educational and corporate culture in higher education institutions.
- Decrease in the quality of education and qualification of graduates of higher education institutions.
- Increasing tolerance toward corruption and sexual violence.

Corruption-related and other legal implications:

- Coercion to enter into sexual intercourse (Art. 154 of the CCU).
- Abuse of power or office (Art. 364 of the CCU).
- Acceptance of an offer, promise or receipt of an improper benefit by an official (Art. 368 of the CCU).
- Abuse of influence (Art. 369-2 of the CCU).
- Disciplinary liability, including the dismissal of a person from the position.

blackmail – distribution of videos or images of an intimate nature, if a person refuses to comply with certain instructions or demands: <https://www.thorn.org/sextortion/>

- The information on persons that committed corruption or corruption-related offenses is entered in the Register of Corruptors (Art. 59 of the Law of Ukraine on Prevention of Corruption).



CASE

There are many reports in the media about cases of sexual harassment in higher education institutions.⁴³ However, most often such cases end, at best, with the dismissal or transfer of the lecturer to other position or other department, and at worst, with the lecturer contesting the dismissal and collecting monetary compensation from the education institution.

- 1. For example, in 2017, the Academic Council of one of the universities did not admit a lecturer to participate in the competition for the vacant position of professor of the department. The reason for such decision was numerous complaints from women about the immoral conduct of that lecturer, including sexual harassment. However, due to the fact that the education institution did not follow the procedure of thorough investigation of such cases, the Academic Council did not base its decision on specific evidence. As a result, the lecturer not only appealed against his dismissal, but also collected from the university the average salary for the period of forced absenteeism (over UAH 160,000), UAH 5,000 for moral damages, UAH 60,000 for legal fees and several thousand UAH for court fees.⁴⁴*
- 2. For years, both female lecturers⁴⁵, and students suffered from sexual harassment by the chair of the department of one of the Rivne universities⁴⁶ «For the most part, the offers addressed to women in a difficult situation. It could be a failed exam, housing, admission, or work-related issues. That is, those who sought help were primarily targeted – people dependent on the professor, who were easier to pressure, and who could not always immediately push away, run away, because at a certain moment their fate depended on him».*

43. Journalistic investigation «In word and in body»: <https://bit.ly/3tu4iL3>, <https://4vlada.com/rivne/52137>;

«I beg you, don't tell anyone»: what to do with harassment in universities»: <https://bit.ly/3xpcAi7>;

«The scandal with the actor Talashka: activists ask the authorities for systemic changes in countering harassment in universities»: <https://bit.ly/39I9T96>

44. Unified state register of court decisions: <https://cutt.ly/ZKtsWKd>

45. «How we learned about harassment at the Rivne State University of Humanities and what remained behind the scenes»: <https://cutt.ly/MKtsGEA>

46. «10 more confirmations of the «feats» of the Rivne «professor of harassment»»: <https://cutt.ly/zKtsObo>

One of the lecturers refused intimate offers from the chair of the department. «The chair pressured the woman after she refused to become his mistress, overloaded her with work in other departments that her colleagues refused to perform, and said, «I thought you you wouldn't be able to handle it». The woman continued to work because she loved her job very much. Students told us that they were pressured to write complaints to the Dean's office about the lecturer who did not agree with the department's rules».

In the end, the lecturer resigned of his own accord and did not bear any legal responsibility for his actions.



During the surveys and communication with university staff and students, they also reported sexual harassment by lecturers in their education institutions – as conditions for positive evaluation, accommodation in a dormitory, etc.

In most cases, when the university administration or the police were informed, the students and staff who helped to bring the perpetrators to justice (for example, the anti-corruption commissioners who were initially approached by female students – victims of sexual harassment) were put under considerable pressure, and criminal cases were closed. In one of the cases, the lecturer was fired for improper performance of official duties, but later he challenged the dismissal in court and collected a significant amount of money from the education institution for the period of forced absenteeism. One of the female students who was sexually harassed took her documents from the education institution and stopped her studies.

ACADEMIC ACTIVITY



Risk 11. Malpractice during admission and participation in postgraduate (doctoral) programmes

The general requirements for admission to postgraduate (adjunct) and doctoral programmes are determined by the Resolution of the CMU No. 261 of 26.03.2016⁴⁷ and the Conditions of admission for higher education⁴⁸, which are approved by the Ministry of Education and Science of Ukraine annually. The training may be provided at the expense of the state (or other level) budget; for the funds of individuals or legal entities.

In general, the legislation stipulates that admission to postgraduate programmes is to be on a competitive basis (par. 6 of CMU Resolution No. 261). Entrants must pass entrance exams in English language (or provide a certificate confirming the appropriate level of knowledge) and a major-specific subject.

The procedure, list and timeframes for submission of documents for admission; the content, form and timeframes for entrance tests for the competitive selection of entrants to postgraduate (adjunct) and doctoral programmes by major or relevant field of knowledge are annually determined by higher education institutions and research institutions that train Doctors of Philosophy and Doctors of Science in their internal regulations. Those regulations are approved by the Academic Council of the institution. They must be public, that is, published in advance (not later than 1 month before the start of accepting documents) on the official website.

Entrance exams are mostly oral or written (in the form of answers to open questions, essays, creative works, etc.). A panel consisting of 3-5 persons appointed by the head of the institution is established for each exam for admission to a postgraduate (adjunct) programme. During the evaluation of entrants, their scientific and other achievements are also taken into account. The composition of the appeal board is approved by the head of the institution).

The information from open sources, a study of the conditions and procedures for admission to postgraduate (doctoral) programmes indicate that there are still significant corruption risks in the process. This is due both to the fact that documents

47. Resolution of the CMU No. 261 of 26.03.2016 on approval of the Procedure for the Training of Seekers of Academic Degrees of Doctor of Philosophy and Doctor of Science (in research institutions: <https://zakon.rada.gov.ua/laws/show/261-2016-%D0%BF#Text>)

48. Conditions of admission for higher education in 2022: <https://cutt.ly/GKufqCj>

are accepted «manually», that is, through in-person contact, and to the fact that entrance exams are still taken orally or in simple written form, and are not anonymous. In addition, the academic community – especially in terms of specific majors – is quite closed, which creates a favorable environment for patronage, influence and pressure on members of examination boards.

Despite the fact that the admission takes place according to the decision of the board, the following manifestations of violation of the integrity of admission are not exceptional:

- cases of violation of the integrity of admission due to offering/requesting/receiving improper benefits by education institution staff/member(s) of the admission board during the entrance exams to postgraduate programme;
- decision-making in the context of conflict of interest and granting preferences to close or related persons during admission and competitive selection for (state-funded) post-graduate programmes;
- exerting pressure (influence) on the members of the admission board by authoritative colleagues or the management of higher education institution or research institution so that they evaluate a certain entrant accordingly;
- advance provision by the responsible persons of correct answers or an agreement with the entrants regarding a specific exam task that they will «choose»;
- replacement of exam papers by members of the panel.

The creation of artificial bureaucratic obstacles during admission, which is also a violation of the principles of integrity (*repeated refusal to accept documents due to non-compliance with formal requirements and offers to reprint or complete them with specific service providers, or offers to help with such completion for a fee*) is also common).



CORRUPTION RISK FACTORS

1. Lack of clear and unified national requirements regarding admission procedures and mechanism, form of entrance exams and requirements for formulating evaluation criteria.
2. «Manual» submission of documents for admission allows the person receiving them to «bypass» the formal procedure, add or replace the documents. This also applies to the facts of checking the validity of foreign language certificates.

3. Lack of detailing of the criteria for evaluating the knowledge of entrants and their previous achievements creates space for subjectivity – and therefore potential malpractice.
4. Dishonesty of panel members and entrants.
5. Taking of exams is not automated, which allows for potential malpractice (marking exam tasks, changing works, providing exam questions in advance).



IMPLICATIONS

Strategic:

- Decline in the research image of higher education institutions both in Ukraine and abroad.
- Disappointment of young people and reluctance to build a career path in the field of education and science.
- Training of research personnel incapable to produce high-quality research outcomes of applied relevance, to develop the national scientific and educational sector.
- Destruction of the research image of the country worldwide.

Corruption-related and other legal implications:

- Abuse of power or office (Art. 364 of the CCU).
- Acceptance of an offer, promise or receipt of an improper benefit by an official (Art. 368 of the CCU).
- Bribery of an official of a legal entity of private law, regardless of the organizational and legal form (Art. 368-3 of the CCU).
- Abuse of influence (Art. 369-2 of the CCU).
- Forgery of documents, seals, stamps and forms, sale or use of forged documents, seals, stamps (Art. 358 of the CCU).
- Violation of requirements for the prevention and settlement of conflict of interest (Art. 172-7 of the CUAO).
- Unlawful use of information that has become known to a person in connection with the exercise of official or other legally defined powers (Art. 172-8 of the CUAO).
- Disciplinary liability and other sanctions, for example, dismissal of a person from the position or exclusion from the panel.

- The information on persons that committed corruption or corruption-related offenses is entered in the Register of Corruptors (Art. 59 of the Law of Ukraine on Prevention of Corruption).



CASE

1. *The dean of the department of one of the Kharkiv universities was exposed for receiving an improper benefit. According to the investigation, the dean demanded USD 15,000 from an individual for assistance in entering a postgraduate programme at one of the National Research Centers.*⁴⁹

According to the Register of Court Decisions⁵⁰, he is accused of committing criminal offenses envisaged in Part 3 of Art. 368 of the CCU, Part 3 of Art. 369-2 of the CCU.

2. *In Khmelnytsky, the head of the post-graduate and doctoral department of one of the universities was detained for accepting a bribe. An individual was to hand over USD 11,500 to her for unhindered admission to the postgraduate programme of the education institution under a shortened program, for assistance in writing and publishing the necessary research articles and unhindered defense of the dissertation research for obtaining a PhD in Law. Preliminarily, her actions will be qualified under Part 3 of Art. 368 of the CCU.*⁵¹

The data from open sources, as well as information collected during anonymous surveys, focus group discussions or individual interviews with various participants in the educational process, indicate a high probability of the realization of this corruption risk. At the same time, in the Unified Register of Court Decisions, at least one sentence or verdict relating to corruption manifestations at any stages of postgraduate study could not be found.

49. «The dean of the Kharkiv University of Internal Affairs was detained for taking bribes for assistance with admission to postgraduate programme»: <https://cutt.ly/aKufdNp>

50. Verdict: <https://cutt.ly/WKufmY1>

51. «In Khmelnytsky, an associate professor of one of the universities was detained for accepting a bribe»: <https://bit.ly/3OeDrUZ>



Risk 12. Provision of improper benefits for passing exams within postgraduate programme

Until recently, the defense of dissertation research was carried out only in permanent specialized Academic Councils. In 2019, the MoES piloted the establishment of ad hoc specialized Academic Councils and the Cabinet of Ministers introduced the temporary procedure for awarding the degree of Doctor of Philosophy.⁵²

The pilot turned out to be successful, and in January 2022, the CMU adopted a new procedure for awarding and revoking the decisions to award the degree of Doctor of Philosophy.⁵³ From now on, for researchers entering postgraduate programmes according to the updated procedure, such attestation will be carried out exclusively by ad hoc specialized Academic Councils.

The composition of such Councils will include a chairman, two reviewers and two official opponents (from other education institution). The procedure defines the requirements for the competence of members of ad hoc Councils, as well as restrictions aimed at avoiding the conflict of interest of Council members.

A degree of Doctor of Philosophy may be void if it turns out that the defense took place with violations or plagiarism has been detected in the work.

The procedure also regulates the remuneration of members of ad hoc Councils. Such remuneration must be included in the budget of higher education institutions (research institutions) and paid from the sources that fund the training of degree seekers or from the institutions' budget.

In other words, the official remuneration of Council members should be ensured and provided by the education institution (research institution) in which the degree seeker is studying, and not by the graduate student (adjunct). At the same time, higher education institutions still interpret this provision as a recommendation.

Despite the normative regulation of admission and training within postgraduate (doctoral) programmes, the **actual relations between the degree seekers and their academic supervisors, educators of the relevant department, members of the specialized Academic Council, opponents are difficult to control.**

52. Resolution of the CMU No. 167 of 06.03.2019: <https://zakon.rada.gov.ua/laws/show/167-2019-%D0%BF#Text>

53. Resolution of the CMU No. 44 of 12.01.2022: <https://zakon.rada.gov.ua/laws/show/44-2022-%D0%BF#top>

Therefore, in the course of training of academic staff, **the manifestations of dishonesty and malpractice both on the part of postgraduate (doctoral) students and on the part of researchers that accompany the training process cannot be ruled out.**

Most often, dishonesty may be manifested in the following offenses:

- demanding improper benefits by education institution or research institution's staff or exerting pressure (influence) by the administration with the aim of exerting pressure on the academic supervisor or members of specialized Academic Councils;
- receipt of improper benefits by the academic supervisor for checking and further promotion of academic work at various stages of the research;
- providing/receiving improper benefits by the opponent from the postgraduate student for reviewing (providing feedback) the academic research;
- providing/receiving improper benefits by members of departments/researchers for conducting preliminary defense of academic research.



CORRUPTION RISK FACTORS

1. Dishonesty of the academic supervisor/postgraduate student/opponent /reviewer/ members of the specialized Academic Council.
2. Lack of mechanisms for effective control of actual relations between the graduate student and the academic supervisor/opponent/reviewers/members of the Academic Council.
3. Financial incentives and bonuses for an academic degree while being employed with a higher education institution.
4. Imperative requirements for obtaining an academic degree (academic title) for educators.
5. «Closedness» of the academic community, where degree seekers are often yesterday's students or relatives of academicians, members of councils, etc. Almost the entire process of studying within postgraduate (doctoral) programmes still relies on personal contacts (communication) and relations of degree seekers with other participants in this process.



IMPLICATIONS

Strategic:

- Decline in the research image of higher education institutions both in Ukraine and abroad.
- Decreased motivation of graduates of higher education institutions to obtain an academic degree and develop professionally in the field of education and science.
- Training of research personnel incapable to produce high-quality research outcomes of applied relevance, to develop the national scientific and educational sector.
- Destruction of the research image of the country worldwide.

Corruption-related and other legal implications:

- Abuse of power or office (Art. 364 of the CCU).
- Acceptance of an offer, promise or receipt of an improper benefit by an official (Art. 368 of the CCU).
- Bribery of an official of a legal entity of private law, regardless of the organizational and legal form (Art. 368-3 of the CCU).
- Abuse of influence (Art. 369-2 of the CCU).
- Violation of requirements for the prevention and settlement of conflict of interest (Art. 172-7 of the CUAO).
- Disciplinary liability and other sanctions, for example, dismissal of a person from the position or exclusion from the panel.
- The information on persons that committed corruption or corruption-related offenses is entered in the Register of Corruptors (Art. 59 of the Law of Ukraine on Prevention of Corruption).



CASE

1. *In early 2016, Ukrainian journalist Yuliia Mendel published an article in [Politico.eu](https://www.politico.eu) on how she had to pay her academic supervisor and a reviewer USD 1,000 each to get a positive review of her work. Prior to that, the academic supervisor refused to check her research for weeks.*

She described other cases of corruption that she encountered during her postgraduate studies.⁵⁴ Ms. Julia's academic supervisor filed a lawsuit against her for protection of honor and dignity, claiming that this information was not true. In the end, he was unable to prove that the information was patently false.⁵⁵

2. *In April 2021, another writer and journalist Olesia Yaremchuk told a similar story.⁵⁶ She, inter alia, described how an academic assistant of the Council, where the defense was to take place, advised her.. not to forget to put USD 100 in the dissertation for the expert who was supposed to give feedback on Ms. Olesia's academic work as well as other unofficial expenses required to ensure the defense. In the end, the defense of Olesia Yaremchuk's dissertation research did not take place. In a few days, information appeared in the media that the Ministry of Education and Science was likely to investigate that case. However, no information about investigation results is available.*



Risk 13. Manipulations in the course of compiling collections of research articles

The system of higher education and science requires educators, degree seekers and other participants in the educational process to publish research articles⁵⁸ and participate in conferences.

As a rule, model contracts with educators of higher education institutions contain requirements regarding the minimum number of research articles to be published in certain types of scientific journals (for example, professional ones, those indexed in the international scientific and metric databases, such as Web of Science, Scopus, etc.) during the validity period of the contract.

The «professional» status is determined by expert councils of the Ministry of Education and Science. The journals are included in the List of Professional Journals of category «A» (scientific journals indexed in the Web of Science Core Collection and/or Scopus

54. «The academician told the foreign media how she gave a bribe to defend her thesis at the Shevchenko University»: <https://life.pravda.com.ua/society/2016/02/1/207541/>. Original article «In Ukraine's universities, trading bribes for diplomas» is available at: <https://politi.co/3MDuH9H>

55. «Mendel won an appeal in the bribery case for her dissertation»: <https://bit.ly/3aWmTmd>. Verdict: <https://reyestr.court.gov.ua/Review/92496469>

56. «Take a bow, child: is it possible to defend a dissertation without bribes and buffets? The story of one postgraduate student»: <https://life.pravda.com.ua/society/2021/04/15/244547/>.

57. «The Ministry of Education is investigating the case of the undefended dissertation of a Lviv journalist»: <https://bit.ly/3xqC9PB>.

58. The requirements for publications are stipulated, for example, in the Licensing conditions for conducting educational activities: <https://zakon.rada.gov.ua/laws/show/1187-2015-%D0%BF#Text>

databases) or «B» (other scientific journals that meet the prescribed requirements).⁵⁹

Postgraduate (adjunct) or doctoral programmes require a minimum of 3 to 5 articles, depending on the programme.

The described factors contribute to the fact that the publication of research articles in many cases becomes a formality. In the Ukrainian academic environment, there is little replication of scientific research, so it is almost impossible to confirm or deny the authenticity of authorship.

Despite the existence of monitoring of scientific professional journals, **the organizational committees that accept articles and compile collections have the actual opportunity to make changes to the information** (*for example, at someone's request, to include co-authors unrelated to the writing of an academic work*) and the structure of collections (*to retroactively add materials to collections*).

The formalization (binding nature) of requirements for the number and types of research articles may entail a whole range of consequences: offers from persons that need to have articles published to include them in the authorship for provision of a fee or other improper benefit; or vice versa, the members of organizational committees incentivize such persons to provide improper benefits for their inclusion in (co)authors. In addition, there are cases when the administration of the department or university, using their official position, insists on including in the co-authorship of certain persons that did not actually participate in writing of the research article. At the same time, the level of authorship can be artificially distorted.



CORRUPTION RISK FACTORS

1. Mandatory requirements for the minimum number of research articles for educators and postgraduate students, which leads to the fact that educators look for dishonest opportunities to fulfill these requirements only formally.
2. Dishonesty of academicians, representatives of university administration.
3. Possibility to exert pressure on the members of the editorial boards by the university administration.

59. Decree of the MoES No. 32 of 15.01.2018 on Approval of the Procedure for Forming the List of Scientific and Professional Journals of Ukraine: <https://zakon.rada.gov.ua/laws/show/z0148-18#top>

4. Lack of procedures for controlling the formation of author teams and checking the actual level of authorship of the specified co-authors.
5. Lack of proper control over the technical compilation of collections of research articles.



IMPLICATIONS

Strategic:

- Destruction of the research image of the country worldwide due to the low quality of a certain percentage of research articles/works.
- Devaluation of research articles and research work in general due to the low quality of academic works.

Corruption-related and other legal implications:

- Bribery of a member of staff of an enterprise, institution or organization (Art. 354 of the CCU).
- Abuse of power or office (Art. 364 of the CCU).
- Exceeding of authority or official powers by a law enforcement officer (Art. 365 of the CCU).
- Violation of requirements for the prevention and settlement of the conflict of interest (Art. 172-7 of the CUAO).
- Unlawful use of information that has become known to a person in connection with the exercise of official or other legally defined powers (Art. 172-8 of the CUAO).
- Disciplinary liability, including the possibility of dismissal of a person from the position.
- The information on persons that committed corruption or corruption-related offenses is entered in the Register of Corruptors (Art. 59 of the Law of Ukraine on Prevention of Corruption).



CASE

On May 20, 2021, on the Bigus.info website, journalists published the materials of an investigation into the facts of forgery of scientific collections of one of the scientific journals.⁶⁰

60. «Fake for Kyva: who forged the dissertation materials for the MP from OPZZh»: <https://bit.ly/3NIQqy8>

At the end of April 2021, the same journalists published the preliminary part of the investigation. In it, they discovered that the materials of the dissertation research of MP Illia Kyva, which he was to defend in a few days, contained information about at least two research articles that was not true to fact. The collections in which those articles were supposedly published in 2018 and 2019 simply did not have such pages.

The next morning after the release of the investigation materials – on April 27, 2021, the official opponent of Illia Kyva contacted the administrator of the website of the journal with an urgent request to add his articles to both scientific collections and publish updated versions. The administrator complied with this request, but the website saved previous versions of the collections, which the journalists also tracked.

Later, the «updated» collections were again removed and the previous original versions were left.

ADMINISTERING HIGHER EDUCATION INSTITUTIONS



Risk 14. Falsification of results during the holding of competition for vacant positions in the higher education institutions

Most positions in higher education institutions must be filled exclusively through competitive selection or elections (in the case of election of the head of education institution). The Law of Ukraine on Higher Education⁶¹ stipulates that: «***When filling vacant positions of educators – chairs of departments, professors, associate professors, senior lecturers, lecturers, the conclusion of an employment contract shall be preceded by a competitive selection, the procedure for which is approved by the Academic Council of a higher education institution.***»

The MoES provides recommendations in the Decree No. 1005 of 05.10.2015 on Approval of Recommendations on Competitive Selection for Vacant Positions of Educators and Conclusion of Employment Contracts with them⁶². That is, the **procedure for holding a competition for such positions is determined by higher education institutions independently**, which is part of the principle of higher education institutions' autonomy.

61. Law of Ukraine on Education: <https://zakon.rada.gov.ua/laws/show/2145-19#Text>

62. Decree No. 1005 of 05.10.2015 on Approval of Recommendations on Competitive Selection for Vacant Positions of Educators and Conclusion of Employment Contracts with them: <https://zakon.rada.gov.ua/rada/show/v1005729-15#Text>

Separately, the Law on Higher Education defines the procedure for electing the administration of education institutions (deans of departments, directors of institutes). Elections for such positions are carried out by Academic Councils of education institutions, and the competition committee checks the submitted documents for the suitability of candidates for the vacant position. The competition committees for such positions must necessarily include student representatives, their share **must be at least 15%**.

Despite the fact that the legislation establishes the mandatory participation of students in the work of competition committees for the positions of the head of education institution and its administration, students quite often do not know the internal regulations for holding such competitions or are irresponsible towards such processes.

The appointment of the head of a higher education institution is based on the results of elections organized by the higher education institution after the announcement of the competition for the position of the head by the Ministry of Education and Science of Ukraine. This process is regulated by the Methodological Recommendations on the Specific Aspects of the Electoral System and the Procedure for Electing the Head of a Higher Education Institution.⁶³ At the same time, the largest number of scandals during the formation of the administration of education institutions is due to violations of local election regulations and falsification of their results.

Another specific aspect is that **in the system of higher education there is a large number of academic dynasties, academicians have a wide partnership (co-authorship, academic consulting of postgraduate students, doctoral students, implementation of joint projects)**, which is a factor of influence on the work of competition committees and the risk of decision-making in the context of the conflict of interest.

External stakeholders of the higher education institution (partners, local governments, political parties) may also exert unlawful influence on the results of competition committees.

Minimal social monitoring of the work of competition committees contributes to the occurrence of several corruption risks: decision-making by members of competition committees in the context of conflict of interest; abuse of influence and office; obtaining/providing improper benefits to representatives of competition committees for violating the regulations on competitive selection in favor of certain individuals.

63. Methodological Recommendations on the Specific Aspects of the Electoral System and the Procedure for Electing the Head of a Higher Education Institution: <https://zakon.rada.gov.ua/laws/show/1195-2021-n#Text>



CORRUPTION RISK FACTORS

1. Discretionary powers of competition committees for the positions of educators.
2. Dishonesty of members of competition committees responsible for the procedure and transparency of competitive selection.
3. Minimal social monitoring of the work of competition committees and non-transparent procedure for competitive selection.
4. Large number of academic dynasties and partnerships in the academic environment, which can cause an indirect influence on the work of competition committees or contribute to violations of the requirements on prevention of the conflict of interest.
5. Lack of internal policies of higher education institutions on identifying and eliminating the conflict of interest.



IMPLICATIONS

Strategic:

- Dishonest and low-qualified staff of higher education institutions.
- Formation of a negative attitude towards the higher education system among the younger generation due to dishonesty, non-transparency and closedness of competitive selection, which demotivates young people to work in the higher education system.
- Decline in the image of the higher education institution and Ukrainian higher education as a whole due to the low-quality staff of higher education institutions.

Corruption-related and other legal implications:

- Abuse of power or office (Art. 364 of the CCU).
- Abuse of influence (Art. 369-2 of the CCU).
- Violation of requirements for the prevention and settlement of conflict of interest (Art. 172-7 of the CUAO).
- Unlawful use of information that has become known to a person in connection with the exercise of official or other legally defined powers (Art. 172-8 of the CUAO).
- Disciplinary liability, including the dismissal of a person from the position.

- The information on persons that committed corruption or corruption-related offenses is entered in the Register of Corruptors (Art. 59 of the Law of Ukraine on Prevention of Corruption).



CASE

The realization of this risk is most vividly illustrated during the elections of the top management of higher education institutions. Among the examples is the scandal during the election of the rector of the newly established university.⁶⁴ Thus, during the election of the rector in one of the higher education institutions, pressure was exerted on the election committee by political forces through forcing it to violate the procedure of elections and falsifying the voting results.

This contributed to the fact that a representative of a political party, who had business and friendly relations with the temporary head of the higher education institution, was elected to the position. Moreover, the former representatives of political forces who were the defendants in the cases of the National Anti-corruption Bureau of Ukraine became members the Supervisory Board of the higher education institution.



Risk 15. Malpractice in awarding bonuses or other incentive payments

The list of bonuses and other incentive payments is determined in the collective agreements of higher education institutions, taking into account the provisions of the Laws of Ukraine on Education, on Higher Education, on Scientific and Technical Activities, and the Labour Code of Ukraine.

The Ministry of Education and Science established that the heads of education institutions are authorized to approve, within the payroll, the procedure of awarding and amounts of bonuses for staff in accordance with their contribution to the processes of the university. Therefore, the distribution of such bonuses among the staff is regulated exclusively by the internal policies of higher education institutions.

64. «On two chairs: how the «servant-rector» invented a scheme to preserve the MP's mandate»: <https://bit.ly/3zCiy11>

The Law of Ukraine on Higher Education envisages the following among the rights within the autonomy of higher education institutions: the introduction of rating of achievements of participants in the educational process (lecturers, students, staff), but this right is not exercised by all higher education institutions.

In most higher education institutions, the rating is lacking or formal, accordingly, the person that decides on awarding incentive payments has wide discretionary powers. Due to the lack of clearly defined criteria and indicators for confirming the personal achievements of lecturers and staff, there might be subjectivism in evaluating such achievements.

The lack of rating (*determining the level of professional efficiency of lecturers according to certain criteria*) or other tools to increase the transparency of this process contributes to the fact that officials may **make decisions in the context of the conflict of interest**, in particular, in relation to their close people that work in higher education institutions.

This is also facilitated by the fact that higher education institutions usually lack clear and comprehensible criteria for evaluating the achievements of lecturers, and decisions on awarding bonuses and other payments are made non-transparently.

The wide discretion of powers contributes to the fact that officials that make decisions on awarding bonuses or other payments may **abuse official powers** and distribute incentive payments with a personal interest – to award such payments on condition that the staff will share them with the person that made a decision in their favor. In addition, this interest may be intangible, for example, the desire to receive an additional unaccounted workload.



CORRUPTION RISK FACTORS

1. Lack of clear and comprehensible criteria for evaluating the professional achievements of educators and other staff.
2. Broad discretionary powers of heads of higher education institutions regarding the distribution of bonuses and other incentive payments among educators and staff of higher education institutions.
3. Lack of a unified requirement for higher education institutions to rate educators.
4. Non-standardized procedure and criteria for rating educators, which leads to subjectivism in the evaluation of personal achievements of lecturers and staff.



IMPLICATIONS

Strategic:

- Loss of motivation by educators and staff to develop and achieve higher performance indicators (research works, use of interactive teaching methods, development of partnerships, involvement of grant projects) due to non-transparent awarding of bonuses and other incentive payments.
- Decline in staff trust in the administration of higher education institutions and the image of institutions, which makes it impossible to develop staff capacity.
- Decrease in the quality of education due to the fact that educators begin to look for additional sources of income. A number of staff leave the education sector or transfer to other higher education institutions.
- In case of dishonesty of the entire system, the educators seeking to increase their income abuse their powers, demanding and/or receiving improper benefits from higher education seekers for overestimating their learning outcomes, writing qualification papers, etc.

Corruption-related and other legal implications:

- Appropriation, misappropriation or possession of property by abuse of office (Art. 191 of the CCU).
- Forgery by an official (Art. 366 of the CCU).
- Abuse of power or office (Art. 364 of the CCU).
- Violation of requirements for the prevention and settlement of conflict of interest (Art. 172-7 of the CUAO).
- Disciplinary liability, including the dismissal of a person from the position.
- The information on persons that committed corruption or corruption-related offenses is entered in the Register of Corruptors (Art. 59 of the Law of Ukraine on Prevention of Corruption).



CASE

At the level of the Oblast State Administration, the case was publicized that the rector of one of the postgraduate education institutions unlawfully awarded elevated bonuses to himself and «close people». Thus, over the year, the total amount of bonuses paid was UAH 1,380,000.

80% of the specified amount was received by staff who, according to employees, were close to the rector. In the past year, some staff received bonuses in the amount of over UAH 60,000, 7 employees of the accounting department received UAH 263,700 out of UAH 1,300,000 in bonuses. It is inexplicable why certain staff of the same position category received bonuses from UAH 44 to 54 thousand over three years, while others received UAH 5, 0.5, 0.6 thousand. Moreover, the majority of staff never received incentive payments over the year. In the protocol decisions of the trade union committee, there were no lists of staff to be awarded with bonuses, instead, only the very fact of awarding was formally agreed.⁶⁵ Later, the rector was dismissed from his post. After the inspection, the Institute was accused of excessive use of funds and its budget funding was reduced.



The results of anonymous surveys of educators and focus group discussions conducted at five pilot higher education institutions **indicate** that the awarding of bonuses and other incentive payments is non-transparent. The educators stated that quite often such payments were awarded to those close to the management of the higher education institution, and most staff did not understand how those payments were distributed.



Risk 16. Malpractice during accommodation of students and staff in dormitories

The activity of student dormitories is regulated by the Law of Ukraine on Higher Education, the Housing Code and internal regulations of higher education institutions. All students of higher education institutions are entitled to live in a dormitory. In

65. «Overspending or defamation»: <http://rakurs.rovno.ua/info.php?id=15047&print=1>

order to accommodate in a dormitory, it is necessary to submit an application to the management of the institution, which decides on the allocation of a room in the dormitory. In addition, students of privileged categories have the right to priority accommodation.

According to regulatory documents, the fee for the dormitory should not exceed 40% of the minimum scholarship; no additional payments, except for utilities, can be charged to the higher education seekers.

At the same time, administrations of higher education institutions or student campuses may abuse their powers and demand improper benefits from educational services seekers for accommodation in a dormitory or allocation of a more comfortable room.

A condition for accommodation may also be a requirement to renovate the room or to purchase additional furniture or equipment for it, which the higher education seekers must leave in the dormitory after completing studies.

The violation of regulations on accommodation in dormitories may also be manifested in the fact that the **lists for accommodation are not formed transparently**. This is how the opportunity opens up for malpractice and giving orders by the administration or influential partners of higher education institutions regarding the priority accommodation in the dormitories of persons close or related to the university staff.



CORRUPTION RISK FACTORS

1. Lack of an automated registration system for dormitory accommodation in most higher education institutions, which would contain up-to-date data on the number of available places, room characteristics, and their cost.
2. Lack of a system of criteria for allocating places in dormitories among students willing to live in them (in particular, determining the order of accommodation of students of privileged categories, as well as allocating places among students of non-privileged categories).
3. Widespread practice of forcing to repair the residential premises of dormitories at the expense of their residents as a condition for accommodation.



IMPLICATIONS

Strategic:

- Additional financial burden on students and their parents.
- Violation of students' rights due to the provision of unequal opportunities in obtaining professional education.
- Decline in the reputation of higher education institutions on the educational services market among higher education seekers and potential entrants.
- Violation of the rights of participants in the educational process.

Corruption-related and other legal implications::

- Appropriation, misappropriation or possession of property by abuse of office (Art. 191 of the CCU).
- Bribery of a member of staff of an enterprise, institution or organization (Art. 354 of the CCU).
- Abuse of power or office (Art. 364 of the CCU).
- Acceptance of an offer, promise or receipt of an improper benefit by an official (Art. 368 of the CCU).
- Violation of requirements for the prevention and settlement of conflict of interest (Art. 172-7 of the CUAO).
- Unlawful use of information that has become known to a person in connection with the exercise of official or other legally defined powers (Art. 172-8 of the CUAO).
- Disciplinary liability, including the dismissal of a person from the position.
- The information on persons that committed corruption or corruption-related offenses is entered in the Register of Corruptors (Art. 59 of the Law of Ukraine on Prevention of Corruption).



CASE

Law enforcement officers detained an official of one of the Khmelnytska Oblast colleges while receiving a bribe in the amount of UAH 5,000 for ensuring accommodation in a dormitory.⁶⁶

66. «An official demanded a bribe for accommodation in the dormitory»: <https://bit.ly/3Qf68Tj>

In one of the articles, the students noted that, «first-year students may expect the first problems, starting from bribery for accommodation and ending with the repair of the rooms at their own expense».⁶⁷



In the answers to open questions in the surveys students **noted** the potential malpractice or lack of transparency of the procedure of accommodation in dormitories; provision of rooms with improved conditions; moving to other rooms. For example, when inquiring about free places in the dormitory students often receive a response that there are no such places, but then somehow new students settle in, that is, such places «appear».



Risk 17. Unlawful transfer of higher education institutions' land plots for use to third parties or for unlawful construction

At the level of the legislation of Ukraine, the property of higher education institutions may not be pledged, nor may it be seized or transferred to the ownership of legal entities and individuals without the consent of the founders of the higher education institution and the higher collegial body. The procedure for transferring the higher education institutions' property for use is regulated by the provisions of the Law of Ukraine No. 157-IX of 03.10.2019 on Lease of State-Owned and Municipal Property.⁶⁸

The land plots of state-owned education institutions may not be transferred to private ownership. At the same time, quite often, commercial buildings are **constructed on the land owned by education institutions**. This happens non-transparently **on the basis of investment contracts** that are not public, and quite often not beneficial for higher education institutions.

Dishonest actions of administration of higher education institutions contribute to the fact that education institutions lose assets that were supposed to serve for the development of education and science. And private residential complexes or other commercial buildings (parking lots, entertainment complexes, hotels, etc.) are constructed on the territory of dormitories, and no one except the administration knows what the universities actually receive in exchange for the land.

67. STUDENT INITIATIVE FOR DORMITORIES WITHOUT CORRUPTION. HOW TO JOIN? <https://bit.ly/3aU1sSw>

68. Law of Ukraine No. 157-IX of 03.10.2019 on Lease of State-Owned and Municipal Property»: <https://zakon.rada.gov.ua/laws/main/157-IX#Text>

Quite often, developers violate the terms of contracts, and do not fulfill their obligations in terms of maintaining adjacent territories in a condition suitable for use. When concluding investment contracts, the investors do not pay land tax. Therefore, only higher education institutions cover such expenses from their budget. If residential buildings are constructed on university's land, it will be impossible to obtain ownership rights to apartments in such buildings. Therefore, individuals quite often become victims of dishonest developers.

The State Audit Service and its interregional territorial bodies monitor the implementation of investment contracts and inform the governing body – the Ministry of Education and Science of Ukraine, which must take appropriate management decisions to counter such violations.



CORRUPTION RISK FACTORS

1. Insufficient legislative regulation of construction on the higher education institutions' land.
2. Lack of a unified system of registration of education sector's land.
3. Wide discretion of powers of administration of higher education institutions regarding the use of land plots of higher education institutions.
4. Dishonesty of legal entities or individuals willing to use higher education institutions' land for private purposes.
5. Lack of effective control over the use of land of education institutions by the education and science central executive bodies as well as over the conclusion and implementation of investment contracts for the use of land of education institutions.
6. Lack of land use monitoring and control systems.
7. Dishonesty of administration of higher education institutions, which, in order to obtain improper benefits, transfers the higher education institutions' land for use.



IMPLICATIONS

Strategic:

- Loss of land assets by education institutions and, as a result, ineffective ensuring of the educational process.

- Violation of the rights and legitimate interests of land users.
- Reputational and financial losses of higher education institutions due to potential lawsuits, seizure of property, etc.

Corruption-related and other legal implications:

- Appropriation, misappropriation or possession of property by abuse of office (Art. 191 of the CCU).
- Bribery of a member of staff of an enterprise, institution or organization (Art. 354 of the CCU).
- Abuse of power or office (Art. 364 of the CCU).
- Acceptance of an offer, promise or receipt of an improper benefit by an official (Art. 368 of the CCU).
- Abuse of influence (Art. 369-2 of the CCU).
- Violation of requirements for the prevention and settlement of conflict of interest (Art. 172-7 of the CUAO).
- Unlawful use of information that has become known to a person in connection with the exercise of official or other legally defined powers (Art. 172-8 of the CUAO).
- Disciplinary liability, including the dismissal of a person from the position.
- The information on persons that committed corruption or corruption-related offenses is entered in the Register of Corruptors (Art. 59 of the Law of Ukraine on Prevention of Corruption).



CASE

In 2014, the director of the state higher education institution, together with the director of one of the limited liability companies, submitted to the Department of the Kyiv City State Construction Inspectorate a declaration on the start of construction of a residential building with built-in and attached non-residential premises in the Shevchenkivsky district of Kyiv, in which they included the knowingly false information about issued town planning conditions and restrictions. Subsequently, including on the basis of the said document, construction work commenced.

According to the information of the Department of Land Resources of the Kyiv City State Administration, a land plot with an area of 0.95 hectares has been in permanent use by the

college since 2003 (the purpose was for the construction and operation of a dormitory for students and housing for college staff).⁶⁹

In 2018, the Pechersk District Court of Kyiv seized the objects of completed and unfinished construction.⁷⁰



Risk 18. Unlawful lease of property of higher education institutions

The lease of property of higher education institutions is regulated by the following legal acts: the Laws of Ukraine on Education, on Lease of State-Owned and Municipal Property, the Civil Code of Ukraine, the Laws of Ukraine on Lease of State-Owned and Municipal Property, on Fundamentals of State Supervision (Control) in the Field of Economic Activity and at the level of higher education institutions – by the Charters of higher education institutions.

The owner of property of state higher education institutions is the Ministry of Education and Science of Ukraine, which grants the lessors of state-owned facilities a consent to lease the state-owned property; provides proposals regarding the terms and conditions of lease agreements, which should ensure effective use of leased property and implementation at leased enterprises of technical policy in the context of sector objectives; and supervises the lease of higher education institutions' property.

The legislation determines that the facilities and **property of state-owned and municipal education institutions shall not be subject to privatization or use for non-educational purposes.**

The premises of higher education institutions are often not fully used in the educational process due to the decrease in the number of higher education seekers, educators and other staff. At the same time, higher education institutions are mostly underfunded, and the maintenance of all premises entails significant costs.

That is why the administration of education institutions exercises the right to lease premises, but the intended use of buildings or structures is often changed, so mobile points of sale of food, services or other goods appear on the territory of higher education institutions. Also, the decisions may be made in the context of a conflict of interest, where the property is transferred for use to close persons or private

69. «The court seized the houses of the residential complex Shevchenkivsky Kvartal»: <https://bit.ly/3zP8kvh>

70. Ruling of the Pechersk District Court of Kyiv City in case No. 757/42575/18-k: <https://bit.ly/3twp6LH>

enterprises owned by the close circle of the administration of higher education institutions. A number of violations are regularly established during inspections of the administration of property transferred to the operational management of higher education institutions. In particular, the use of premises without lease agreements, the approval of the MoES and property insurance for the entire period of validity of lease agreements, as well as the use of premises under agreements without the approval of the MoES regarding the extension of their validity period.⁷¹

Moreover, in order to avoid the conclusion of lease agreements, some higher education institutions signed contracts for the provision of paid services or did not conclude agreements at all, because the integrity of such lease can only be checked through on-site snap inspections.



CORRUPTION RISK FACTORS

1. Dishonesty of lessees of the property of education institutions aiming to use it for private purposes.
2. Dishonesty of administration of education institutions aiming to obtain improper benefits.
3. Existence of a wide range of close people, partners that may purport to lease the institution's property, which leads to making decisions in the context of a conflict of interest.
4. Lack of effective control and response to violations on the part of education and science central executive bodies.
5. Lack of social control over the transfer of education institutions' property for lease.



IMPLICATIONS

Strategic:

- Loss of revenue to the education institutions' special fund.
- Education institutions lose not only the revenue from lease, but also the opportunity

71. «REPORT on the results of audit of effectiveness of the Ministry of Education and Science of Ukraine's management of state-owned facilities in the higher education sector, which have financial implications for the state budget. Accounting Chamber, 2019»: <https://cutt.ly/aKugrlv>

to receive compensation for utilities and operating costs, which is paid by the lessee upon signing the property lease agreement.

- Unlawful change of the intended use entails the loss of property by higher education institutions, which could be used to ensure the educational process.

Corruption-related and other legal implications:

- Appropriation, misappropriation or possession of property by abuse of office (Art. 191 of the CCU).
- Bribery of a member of staff of an enterprise, institution or organization (Art. 354 of the CCU).
- Abuse of power or office through unlawful lease of higher education institutions' property (Art. 364 of the CCU).
- Acceptance of an offer, promise or receipt of an improper benefit by an official (Art. 368 of the CCU).
- Abuse of influence (Art. 369-2 of the CCU) through exerting pressure on decisions of administration of higher education institutions with the aim of unlawfully lease the property of higher education institutions.
- Violation of requirements for the prevention and settlement of conflict of interest (Art. 172-7 of the CUAO).
- Unlawful use of information that has become known to a person in connection with the exercise of official or other legally defined powers (Art. 172-8 of the CUAO).
- Disciplinary liability, including the dismissal of a person from the position.
- The information on persons that committed corruption or corruption-related offenses is entered in the Register of Corruptors (Art. 59 of the Law of Ukraine on Prevention of Corruption).



CASE

According to the audit report of the Accounting Chamber on effectiveness of the Ministry of Education and Science of Ukraine's management of state-owned facilities in the higher education sector, which has financial implications for the state budget (2019), it was determined that the administration of 12 audited higher education institutions made inefficient management decisions on the use of state-owned property – in order to avoid the conclusion of lease agreements, they signed contracts for provision of paid services, which resulted in the loss of revenue by higher education institutions.

Some higher education institutions leased property without relevant agreements. The facts of concluding lease agreements without agreement with the MoES and without property insurance were also established, which creates risks of property loss and damage to the state. As a result of such management decisions, higher education institutions lost revenue in the amount of at least UAH 3,805.7 thousand, the state budget – UAH 488.5 thousand, and lost reimbursement of utilities amounted to UAH 20.1 thousand.⁷²



Risk 19. Deliberate procurement of unnecessary goods

Procurement in higher education institutions is carried out in accordance with the Law of Ukraine on Public Procurement, the annual procurement plan and exclusively through Prozorro or Prozorro Market. However, there are cases when goods, works, and services are procured for which there is no objective need. It may also be the procurement of valuable items that are irrelevant to the educational process, instead of those necessary (computers, educational literature, furniture for educational premises). The procurement of unnecessary items is a manifestation of misuse of budget funds and funds allocated for the organization of the educational process in higher education institutions.

The non-transparent procurement by higher education institutions, in most cases, takes place based on the prior collusion of the responsible official of the customer and a specific supplier with the aim of **obtaining an improper benefit or making a decision in the context of a conflict of interest (a positive decision in favor of «own», «related» suppliers/contractors)**. The procurement of overly valuable items or objectively unnecessary goods for higher education institutions also indicates the presence of a **personal interest**, and possible further use of assets procured for higher education institution for personal purposes.

Usually, such procurement is not transparent, and higher education institutions' staff do not understand what, for whom and for what purpose is being procured. The staff of higher education institutions mostly find out about such procurement by accident or from the annual report of university administration. Which sometimes is of a formal nature.

72. REPORT on the results of audit of effectiveness of the Ministry of Education and Science of Ukraine's management of state-owned facilities in the higher education sector, which have financial implications for the state budget. Accounting Chamber, 2019: <https://cutt.ly/TKugfVm>



CORRUPTION RISK FACTORS

1. Lack of due diligence system (procedures for ensuring due diligence and integrity) in the university as a whole and in relation to public procurement in particular.
2. Non-transparent procurement planning in higher education institutions (lack of information on the official website of the institution, formal or lacking process of approval at meetings of the public council, trade union committee).
3. Dishonesty of officials that abuse their powers in order to procure goods (works/ services) for further use for personal purposes.
4. Wide discretionary powers during the preparation of tender documents.
5. Insufficient division of responsibilities and internal control over the planning and implementation of procurement, lack of monitoring and evaluation of the effectiveness of procurement (or their formal nature).



IMPLICATIONS

Strategic:

- Misuse of budget funds.
- Decline in trust of staff and educational service recipients in the administration of higher education institutions.
- Lack of trust in the competitive nature and transparency of the procurement.
- Low interest of potential participants to engage in the procurement by higher education institutions.

Corruption-related and other legal implications:

- Appropriation, misappropriation or possession of property by abuse of office (Art. 191 of the CCU).
- Bribery of a member of staff of an enterprise, institution or organization (Art. 354 of the CCU).
- Misuse of budget funds, spending of budget funds or providing of loans from the budget funds without established budget allocations or above limits (Art. 210 of the CCU).

- Abuse of power or office (Art. 364 of the CCU) through making decisions on the procurement of goods unnecessary for the educational process.
- Violation of requirements for the prevention and settlement of conflict of interest (Art. 172-7 of the CUAO).
- Disciplinary liability, including the dismissal of a person from the position.



CASE

According to Prozorro, in 2018, one of the universities concluded an agreement with the Science and Technology Centre for the procurement of radio equipment for the amount of UAH 881 thousand.⁷³ The tender was canceled twice, including partially (by lot), due to the lack of a sufficient number of bids. The media drew attention to this procurement, as the need to procure such equipment is questionable.⁷⁴



Surveys of five pilot higher education institutions also **indicated** that some procurement cases were unclear to institution staff. For example, computer spare parts were procured for equipment that was outdated and no longer relevant, in the context of increased demand for devices for remote work



Risk 20. Improper influence on the procurement process through cooperation with counterparties outside the tender processes

The procurement in higher education institutions is carried out in accordance with the Law of Ukraine on Public Procurement, the annual procurement plan and exclusively through Prozorro or Prozorro Market.

However, procurement processes in higher education institutions do not always follow the principles of integrity and transparency. A wide range of partnership

73. Information on the Prozorro website: <https://prozorro.gov.ua/tender/UA-2018-05-14-002240-a>

74. «Chernivtsi University bought a complex for searching for «bugs» and hidden cameras for UAH 881,000»: <https://bit.ly/3zuYApX>

relations, the existence of close people and «good acquaintances» may contribute to the emergence of **private interest** among officials of education institutions and the realization of the corruption risk of decision-making in the context of the conflict of interest during procurement (procurement from private companies owned by close persons or friends).

Another form of malpractice may be the **wish to receive improper benefits from the potential winning bidder**, the so-called «facilitation fee» for concluding a contract with a particular company.

In these cases, quite often there is collusion with the counterparty outside the tender procedure and conditions are created for the non-competitive supplier selection.



CORRUPTION RISK FACTORS

1. Lack of an internal act (or imperfection of the act) that regulates the procedure for concluding direct contracts.
2. Discretionary powers regarding the selection of suppliers of goods, works and services.
3. Friendly or partnership relations of responsible officials of the customer and the potential supplier.



IMPLICATIONS

Strategic:

- For collusion during the procurement process, the responsibility assumes a fine in the amount of up to 10% of the defendant's annual revenue (note, the entity's total annual revenue).
- Persons that committed such a violation are subject to a three-year ban from winning bids at ProZorro, as well as reputational losses. The statute of limitations for such violations is five years from the moment of commission.
- In case of implementation of international projects, such violations may contribute to the disruption of works or research, their poor performance, which affects the reputation of the institution and makes it impossible to develop further grant activities.

Corruption-related and other legal implications:

- Bribery of a member of staff of an enterprise, institution or organization (Art. 354 of the CCU).
- Abuse of power or office (Art. 364 of the CCU) through cooperation with counterparties outside the tender processes for the purpose of obtaining improper benefits.
- Violation of requirements for the prevention and settlement of conflict of interest (Art. 172-7 of the CUAO).
- Unlawful use of information that has become known to a person in connection with the exercise of official or other legally defined powers (Art. 172-8 of the CUAO).
- Disciplinary liability, including the dismissal of a person from the position.
- The information on persons that committed corruption or corruption-related offenses is entered in the Register of Corruptors (Art. 59 of the Law of Ukraine on Prevention of Corruption).



CASE

In 2021, the media eliminated a collusion during a tender held by one of the medical universities with the aim to create a «concept model of a pneumatic helmet against viral (coronavirus, COVID-19), bacterial, toxic agents» for the amount of more than UAH 500 thousand,⁷⁵ the total amount of the project for three years amounted to UAH 2.9 million.

According to the results of the journalistic investigation, it turned out that the winning research bidder was the 71-year-old aunt of the researcher and doctor, who was one of the co-implementers of the project.⁷⁶

Manipulation in open tenders was also found in 2021, during the tender held by another university. The journalists found that the decisions of the Antimonopoly Committee of Ukraine referred to the distortion of tender results in 14 public procurement cases, 11 of which were carried out upon request of the university. At the same time, the documents of both bidders were issued using the customer-university's equipment and were submitted from computers with IP addresses of that higher education institution.⁷⁷

75. Tender announcement: <https://prozorro.gov.ua/tender/UA-2021-04-02-003050-c>

76. «Collusion during tender and project failure: a unique pneumatic helmet designed by Ternopil researchers got into a scandal»: <https://terminovo.te.ua/news/53323/>

77. «The favorite supplier of «extraordinary goods» was fined a third of a million for collusion»: <https://bit.ly/3xHYOIE>



Risk 21. Abuse of power with the aim to force the participants in the educational process to purchase paid services exclusively at the university

The list of paid services that may be provided by higher education institutions is defined in the Resolution of the CMU on Approval of the List of Paid Services that May be Provided by State-Owned and Municipal Education Institutions and Other Education System Facilities No. 796 of August 27, 2010⁷⁸. Additionally, such services are defined in the Charters of higher education institutions, other internal regulations of institutions on the provision of paid services, in particular, the cost estimates. Paid services ensure proceeds to the special fund of education institutions, so the administration is interested in ensuring that such services are in demand.

Quite often, in order to ensure proceeds to the special fund of the institution's budget, **the administration requires participants in the educational process to purchase paid services:** branded university products, printing services, forced participation of students in paid academic events (paid publication of research works, payment of an organizational fee for participation in academic events).

Such requirements may be especially strict during the defense of qualification papers by higher education seekers or final exams. They may also apply to educators and staff of higher education institutions.



CORRUPTION RISK FACTORS

1. Higher education seekers' unawareness of their rights or unwillingness/inability to defend them.
2. Underfunding of education institutions from the budget, which creates a large financial burden on the special fund of institutions, the proceeds to which are ensured through paid services.
3. Dishonesty of higher education institution officials.

78. Resolution of the CMU on Approval of the List of Paid Services that May be Provided by State-Owned and Municipal Education Institutions and Other Education System Facilities No. 796 of August 27, 2010: <https://zakon.rada.gov.ua/laws/show/796-2010-n#Text>



IMPLICATIONS

Strategic:

- Decline in the reputation of higher education institutions among students and entrants.
- Formalization and imitation of research activity and, accordingly, demotivation of participants in the educational process for professional development and scientific research.

Corruption-related and other legal implications:

- Bribery of a member of staff of an enterprise, institution or organization (Art. 354 of the CCU).
- Abuse of power or office with the aim to force to purchase paid services exclusively at a higher education institution (Art. 364 of the CCU).
- Violation of requirements for the prevention and settlement of conflict of interest (Art. 172-7 of the CUAO).
- Disciplinary liability of officials that abuse their powers - dismissal from the position.
- The information on persons that committed corruption or corruption-related offenses is entered in the Register of Corruptors (Art. 59 of the Law of Ukraine on Prevention of Corruption).



CASE

According to the conducted studies (surveys, monitoring, analysis of open data), there are cases where: «Students are required to bind (staple) diploma works, reports on practical training, course papers only at commercial firms on the territory of the university; purchase university symbols (badges) for tens of UAH».

«They are forced to pay for advanced training courses every year» and students, «The lecturer forced to take paid university courses». Quite often, universities force master's students to publish articles in paid collections of higher education institutions, which is a mandatory requirement for admission to the defense of qualification works.



Risk 22. Demanding payment of charitable donations

Charitable donations or philanthropic activities in the field of education are regulated by the Law of Ukraine on Charity and Charitable Organizations.⁷⁹

Under the Law, charitable donation is a free transfer of money and other property to beneficiaries (recipients of donations). Additionally, charitable donations are regulated by the Civil Code of Ukraine, which defines charitable assistance as a donation.

When concluding donation contracts, the provisions on the donation contract shall apply, unless otherwise established by law (Article 729 of the Civil Code of Ukraine). Such contracts may be concluded both orally and in writing. In practice, such contracts are usually concluded with legal entities, and less often with individuals.

Higher education institutions are entitled to open current accounts for such donations, which is regulated by the Resolution of the CMU No. 719 of 02.09.2015.⁸⁰

Therefore, anyone may make charitable donations to the current account of the education institution, indicating the purpose of such a donation. There are no exceptions with regard to the purpose of such donations.

If such donations are made by higher education institution graduates that have professionally fulfilled and are grateful to their alma mater, then this indicates the high quality of education provided by relevant institutions and the fact that they do not lose contact with their students.

At the same time, there is abuse and dishonest exercise of this right by higher education institutions. This is manifested through the **coercion of higher education seekers or their parents to make charitable donations** in exchange for assistance in addressing issues that are part of the educational process.

For example, taking missing credits or accommodation in a dormitory. Such donation cases constitute a corruption offence, because they are a kind of improper benefit, even though they are transferred to the higher education institutions' accounts.

79. The Law of Ukraine on Charity and Charitable Organizations: <https://zakon.rada.gov.ua/laws/show/5073-17#Text>

80. Resolution of the CMU on Aspects of Own Proceeds of State-Owned and Municipal Higher Education Institutions, Research Institutions and Cultural Facilities : <https://zakon.rada.gov.ua/laws/show/719-2015-n#Text>



CORRUPTION RISK FACTORS

1. Dishonesty of administration of higher education institutions willing to ensure proceeds to the institution budget by any means.
2. Dishonesty of participants in the educational process and unawareness of their rights or unwillingness to defend them.
3. Lack of social control over the proceeds to charitable funds of higher education institutions.
4. Non-transparency of proceeds to charitable funds of education institutions (lack of information about receipt/use of donations on the institution's website, formality of the reporting to participants in the educational process).



IMPLICATIONS

Strategic:

- Decline in the reputation of higher education institutions among the public and higher education seekers, partners, graduates.
- Decrease in the quality of educational process, as dishonest educators and higher education seekers will use this mechanism to obtain/provide improper benefits.

Corruption-related and other legal implications:

- Fraud (Art. 190 of the CCU).
- Abuse of power or office (Art. 364 of the CCU).
- Acceptance of an offer, promise or receipt of an improper benefit by an official (Art. 368 of the CCU).
- Offering, promising or providing an improper benefit to an official (Art. 369 of the CCU; abuse of influence (Art. 369-2 of the CCU) through putting pressure on higher education seekers in order to force them make charitable donations.
- Disciplinary liability of officials that abuse their powers - dismissal from the position.
- The information on persons that committed corruption or corruption-related offenses is entered in the Register of Corruptors (Art. 59 of the Law of Ukraine on Prevention of Corruption).



CASE

In one of the universities, an associate professor of the department, who was not a member of the examination board, proposed an education seeker to provide an improper benefit in the form of charitable donation in the amount of UAH 1,000 for the installation of plastic windows. The student was to transfer the specified amount prior to the start of the state exam, which would have been accepted by a board consisting of representatives of the Institute, on whom the associate professor had influence.

The student responded that she was an orphan and did not have such money. However, the associate professor said that everyone studied on equal terms, and reminded that the girl had an academic debt – an unsubmitted master's work, and thus she would definitely not be admitted to the state exam. The proposal was made in a telephone conversation and associate professor noted that it was necessary to get admission to the state exams. Realizing that such actions were unlawful, the student appealed to the Prosecutor's Office, and after receiving her salary, she brought UAH 1,000 and wrote a statement about the alleged charitable donation addressed to the director of the institute.⁸¹



Risk 23. Pressure on proactive students and lecturers

The Law of Ukraine on Higher Education guarantees students the right to participate in the discussion and addressing the improvement of educational process, research work, awarding scholarships, organizing leisure time, living conditions, health improvement; to participate in student governance; to challenge the actions of administration of higher education institution and its officials and educators.

The development of anti-corruption legislation, active and effective awareness raising on anti-corruption issues gave impetus to the formation of student initiatives that identify and respond to corruption in their education institutions, unite in associations and combat corruption.

Such student anti-corruption initiatives have many successes. For example, through a proactive student community in one of the known Ukrainian universities, it was possible to expose and eliminate several corruption schemes: regular extortion for obtaining a permit for retaking exams, Dean's office demanding students to return more than 75% of financial aid allocated from the university's special fund, malpractice

81. Verdict: <https://bit.ly/3NPsrh0>

during the lease of the institution's premises.⁸²

Student activism on prevention of corruption in higher education institutions already has many significant achievements. However, such activism almost always entails various negative implications for students from the university administration and lecturers. Such pressure may be manifested in the form of «threats, underestimation of scores, withdrawal of scholarships, eviction from the dormitory and even expulsion from the university of those students who refuse to remain silent».⁸³



CORRUPTION RISK FACTORS

1. Dishonesty of administration of higher education institutions.
2. Lack of effective anti-corruption policies, which would include effective protection for student whistleblowers.
3. Wide discretion of lecturers and lack of control over the objectivity of student evaluation.



IMPLICATIONS

Strategic:

- Violation of the rights of participants in the educational process.
- Decrease in the quality of educational process due to students' demotivation to study.
- Destruction of the educational and corporate culture of higher education institutions.
- Strengthening the image of corrupt educational process.

Corruption-related and other legal implications:

- Abuse of power or office (Art. 364 of the CCU).
- Violation of requirements for the prevention and settlement of conflict of interest (Art. 172-7 of the CUAO).

82. «Two students told how to end corruption schemes in higher education institution»: <https://bit.ly/3mHxF2h>

83. <https://bit.ly/3mHxF2h>

- Unlawful use of information that has become known to a person in connection with the exercise of official or other legally defined powers (Art. 172-8 of the CUAO).
- Disciplinary liability of officials that abuse their powers - dismissal from the position.
- The information on persons that committed corruption or corruption-related offenses is entered in the Register of Corruptors (Art. 59 of the Law of Ukraine on Prevention of Corruption).



CASE

Students of one of the Kyiv universities encountered numerous manifestations of corruption in their higher education institution in evaluation, procurement of goods, personnel management relations, etc. A group of such students came together to combat and eradicate those negative practices.

At first, they tried to address the issue through negotiations with the institution's administration. When the negotiations did not yield any results, the students protested. After that, many of them felt pressured and humiliated by lecturers. Several tens of students were unable to complete their studies, probably because they were deliberately not allowed to take exams.⁸⁴



During interviews and focus group discussions as part of the Project's pilot monitoring, participants also **reported severe** pressure on whistleblowers in their higher education institutions. This also applied to whistleblowers of sexual harassment by lecturers.

84. «How Ukrainian students combat corruption in universities»: <https://bit.ly/3xr2Q6N>

PARTNERSHIPS (INTERACTION WITH EXTERNAL STAKEHOLDERS)



Risk 24. Abuse of power position/political status to put pressure on representatives of higher education institutions

In accordance with Art. 1 of the Law of Ukraine on Higher Education⁸⁵, the autonomy of higher education institution is the independence and ownership in making decisions regarding the development of *academic freedoms, the organization of educational process, scientific research, internal management, economic and other activities, independent selection and placement of staff* within the scope established by this Law. Article 32 of the same Law envisages the independence of a higher education institution from political parties, religious or non-governmental organizations (with the exception of spiritual higher education institutions).

At the same time, **many universities may be closely related to the political environment:** their graduates or staff may be members of political parties, candidates in certain elections, MPs' assistants.

Political figures, in turn, are **interested in cooperation with higher education institutions**, as it provides significant opportunities to expand the electorate and increase the number of supporters of the political force. **Higher education institutions may also have an interest in this**, realizing that loyal politicians may contribute to improving the university's position through personal arrangements or – given the election to authorities or appointment to positions in executive bodies – through lobbying for specific decisions (for example, provision of tax benefits, funding of higher education institutions through local programmes, simplification or circumvention of the procedure for lease of property for the university, etc).

As a result, **politicians or local officials may abuse their position and put pressure on the university administration** (for promotion to positions or training of «their» persons, creation of special working conditions (*less workload, provision of housing, bonuses*) or *training for such persons, etc.*). They may also exert influence on lecturers (in particular, during the evaluation of students) – either directly or through the institution's administration. The **practice of political patronage is also widespread**, when influential officials, politicians or other individuals provide charitable assistance to universities in exchange for informal services of higher education institutions.

85. Law of Ukraine on Higher Education: <https://zakon.rada.gov.ua/laws/show/1556-18#Text>

The above constitutes manifestations of such phenomena as political patronage, favoritism, nepotism, cronyism. They are widely inherent in the higher education system (and not only in this sector) both in Ukraine and worldwide.⁸⁶



CORRUPTION RISK FACTORS

1. Dishonesty of representatives of authorities/political parties/university administration.
2. Non-disclosure of (signed) cooperation agreements with local and regional authorities.
3. Non-transparent distribution of regional contracts for the training of education seekers at the expense of local budgets, which makes it possible to «promote» «own» people to student places funded by the local governments.
4. Lack of effective means of control over the actual personal relations of politicians, representatives of the authorities among themselves and with representatives of higher education institutions.
5. Possibility of «sponsorship» from influential parents or other patrons.
6. Objective connections of higher education institutions with politicians and officials.
7. Wide discretion of the heads of higher education institutions during the selection of higher education institutions' staff, the possibility to exert influence on subordinates in matters of evaluation and implementation of the educational process as a whole.



IMPLICATIONS

Strategic:

- Politicization of the educational process and environment.
- Corruption pressure on university administration and lecturers.
- Employment or admission to training of persons that do not meet qualification requirements.
- Violation of the rights of participants in the educational process.

86. «Curbing corruption in Higher Education», Monica Kirya, 2021, pp. 8-10: <https://bit.ly/3zDJGNR>

Corruption-related and other legal implications:

- Bribery of a member of staff of an enterprise, institution or organization (Art. 354 of the CCU).
- Abuse of power or office (Art. 364 of the CCU).
- Acceptance of an offer, promise or receipt of an improper benefit by an official (Art. 368 of the CCU).
- Bribery of an official of a legal entity of private law, regardless of the organizational and legal form (Art. 368-3 of the CCU).
- Offering, promising or providing an improper benefit to an official (Art. 369 of the CCU).
- Abuse of influence (Art. 369-2 of the CCU).
- Violation of requirements for the prevention and settlement of conflict of interest (Art. 172-7 of the CUAO).
- Disciplinary liability, including the dismissal of a person from the position.
- The information on persons that committed corruption or corruption-related offenses is entered in the Register of Corruptors (Art. 59 of the Law of Ukraine on Prevention of Corruption).



CASE

In September 2020, on the eve of local elections, one of the political parties held a meeting in the courtyard of the Kyiv university. This event caused a stormy protest of the student community of the institution. Later it turned out that the permission to hold the event was given by one of the vice-rectors of the university. The institution's administration decided that even though such a decision was not proper, the vice-rector should not bear responsibility for it, because he did not formally violate the law.⁸⁷



25% of surveyed students noted that they were aware of cases where students received grades because they or their (influential) parents provided charitable assistance or other support to an education institution.

87.«Bugrov: Taras Shevchenko KNU should be out of politics»: <https://bit.ly/3HgbXfi>



Risk 25. Involvement of participants in the educational process in political campaigning and the election process in favor of certain political figures (parties)

Article 31 of the Law of Ukraine on Education⁸⁸ prohibits political parties, their members, deputies (candidates for deputies) to carry out their activities at education institutions, in particular, to establish their centers or to interfere in educational activities in any other way. This Article also prohibits the distribution of any political materials or advertising at education institutions.

In the description of the previous corruption risk, it is explained why, despite the formal prohibition of politicization of higher education institutions, most of them are connected with the political environment. In the event that the university administration or lecturers have a political interest (*for example, run for election or have a personal interest in supporting a certain politician or political force*) – they have a fairly wide discretion to use their powers or position to involve subordinates and / or students in political processes.

Thus, university administration has the opportunity to **exert administrative pressure on lecturers and other staff and involve them in meetings with politicians, campaigning for them, and even controlling the voting.** Also, the administration may **force lecturers to involve students in political processes.** As a rule, education institution staff agree to such conditions because they are afraid of losing their job, bonuses or favorable treatment. At the same time, they may be attracted by the potential advantages of close relations with politicians or future officials.

On the other hand, sometimes lecturers may, on their own initiative, without informing the administration, involve students in political activities in exchange for grades or other favors. Most often, this happens either when the lecturers, their relatives or other close persons are running in certain elections, or the lecturer or the administration of the higher education institution is a supporter of a certain political force.



CORRUPTION RISK FACTORS

1. Possibility for university educators and representatives of administration to run for election.⁸⁹

88. Law of Ukraine on Education: <https://zakon.rada.gov.ua/laws/show/2145-19#n468>

89. Certainly, this does not mean that lecturers should be deprived of passive voting rights - instead, there should be procedures in place that would minimize the negative political influence on students associated with this factor.

2. Low level of awareness of election legislation and educational rights, in particular, with the ban on involving students in political campaigning during the election process.
3. Lack of effective control procedures for the involvement of students in political campaigning during the election process, interference of political parties in the educational process.
4. Dishonesty of representatives of authorities/political parties/university administration and educators.
5. Lack of effective procedures for the protection of rights of higher education seekers, thus the latter are afraid to oppose their involvement in political actions by lecturers and administration of higher education institutions.
6. Wide discretion of the administration and lecturers in the organization of the educational process and evaluation.



IMPLICATIONS

Strategic:

- Politicization of the educational process and environment.
- Corruption pressure on students.
- Violation of the rights of participants in the educational process.
- Unlawful influence on the objectivity and transparency of political processes, formation of the political conjuncture.

Corruption-related and other legal implications:

- Bribery of a voter, referendum participant, member of the election committee or referendum committee (Art. 160 of the CCU).
- Bribery of a member of staff of an enterprise, institution or organization (Art. 354 of the CCU).
- Abuse of power or office (Art. 364 of the CCU).
- Acceptance of an offer, promise or receipt of an improper benefit by an official (Art. 368 of the CCU).
- Bribery of an official of a legal entity of private law, regardless of the organizational and legal form (Art. 368-3 of the CCU).

- Offering, promising or providing an improper benefit to an official (Art. 369 of the CCU).
- Abuse of influence (Art. 369-2 of the CCU).
- Violation of requirements for the prevention and settlement of conflict of interest (Art. 172-7 of the CUAO).
- Violation of requirements for the prevention and settlement of conflict of interest (Art. 172-7 of the CUAO).
- Disciplinary liability, including the dismissal of a person from the position.
- The information on persons that committed corruption or corruption-related offenses is entered in the Register of Corruptors (Art. 59 of the Law of Ukraine on Prevention of Corruption).



CASE

On September 16, 2020 (during local elections in Ukraine), the following information appeared on the website of the Ministry of Education and Science of Ukraine: «The Ministry of Education and Science of Ukraine received information regarding the involvement of participants in the educational process in the campaigns and events of certain political parties and the dissemination in education institutions of party and electoral agitation».⁹⁰ The MoES sent a letter to Oblast State Administrations and education institutions with a warning about the prohibition of political activity in such institutions.

The political activity of politicians at universities during the 2019 presidential elections is described in the report of Radio.Svoboda.⁹¹ The report analyzes political activity of many known politicians – presidential candidates among students. The halls filled with students during meetings with those politicians are contrasted with statistics of low political interest and electoral activity of students.

This may indicate with a high probability that students often attend events with politicians against their own will or simply receive funds or other privileges for participating in such events.

90. «POLITICAL AGITATION IS PROHIBITED IN EDUCATION INSTITUTIONS, SERHIY SHKARLET»: <https://bit.ly/3aMPQRk>

91. «Universities and elections: how candidates campaign among students and whether it is legal»: <https://bit.ly/2IVpDBY>

RECOMMENDATIONS

For the Ministry of Education and Science of Ukraine

General recommendations:

- To expand areas of cooperation with the National Agency on Corruption Prevention on the integration of principles of integrity into all national educational processes; assessment of corruption risks in all higher and vocational pre-higher education processes; anti-corruption examination of draft regulations; organization of the work of higher education institutions and the Ministry as anti-corruption commissioners.
- To strengthen the role of the authorized person of the Ministry of Education and Science of Ukraine in the coordination and training of universities-commissioners.

Recommendations on minimizing the risks associated with admission to higher education institutions

- To develop annual admission conditions for higher education based on the principles of transparency and integrity, with the involvement of the expert public.
- To determine in the annual admission conditions the procedure for development by education institutions of criteria for evaluating the most corruptionally risky forms of assessment of knowledge and skills of entrants upon admission (interview, creative competition, motivation letter).

Recommendations on minimizing risks in the field of research activity of higher education institutions

- To develop requirements for higher education institutions on increasing transparency and integrity of the training of researchers.

Recommendations on minimizing risks associated with the appointment, transfer, dismissal and promotion of higher education institutions' staff

- Together with the public and representatives of higher education institutions, to develop unified criteria for evaluating the professional achievements of educators for their integration into internal policies on the rating of educators.

Recommendations on minimizing risks in the field of administrative and economic activities of higher education institutions

- To take into account the provisions of the Strategy for the Development of Higher Education in Ukraine for 2021-2031 when setting KPIs for heads of higher education institutions.⁹²

For the National Agency on Corruption Prevention

- To expand areas of cooperation with the Ministry of Education and Science of Ukraine on the development of standards of integrity of higher education institutions.
- In cooperation with the Ministry of Education and Science of Ukraine, to develop a model higher education institution anti-corruption programme.
- To strengthen the coordination of work of the authorized unit on prevention and detection of corruption of the Ministry of Education and Science of Ukraine in terms of its interaction with the commissioners of higher education institutions.
- To strengthen cooperation with the administration of higher education institutions on organizing effective anti-corruption work.
- To recommend to the administration and anti-corruption commissioners of higher education institutions to regularly assess corruption risks and encourage the development of plans to minimize them.
- To provide the higher education institutions with recommendations on preventing corruption during the 2022 admission campaign.
- To provide additional explanations to commissioners at universities regarding the specifics of working with whistleblowers, identification, prevention and settlement of the conflict of interest, approval of draft acts/decrees/orders of the administration of higher education institutions, control and coordination of subordinate legal entities.

92. Strategy for the Development of Higher Education in Ukraine for 2021-2031: <https://bit.ly/3txmVrd>

For higher education institutions

General recommendations

- To monitor the anti-corruption work of higher education institutions in terms of logistic arrangements and regulation of the work status of the anti-corruption commissioner.
- For anti-corruption commissioners, with the support of administration of higher education institutions, to regularly assess corruption risks in higher education institutions and develop measures to minimize them.
- To conduct a competition and appoint to the position of anti-corruption commissioner (or as job sharing) the persons that meet the requirements of the occupational standard «Anti-Corruption Commissioner».⁹³
- To review internal anti-corruption and academic integrity policies for the effectiveness of procedures and mechanisms for responding to corruption. To make appropriate changes, if necessary.
- To develop a mechanism to protect the rights of whistleblowers in higher education institutions in order to minimize the negative implications for students and staff that report corruption or have an active civic position and publicly declare it (organization of peaceful meetings against unlawful construction, corruption in the economic activity of higher education institutions, etc).
- To introduce a unified electronic system of educational process management, which minimizes human participation in technical processes and ensures communication on issues related to the educational process using corporate means of communication. *Examples of such systems are Blackboard, Moodle, Brightspace, LearnDash, and others.*
- To develop, pilot, implement on an ongoing basis the training of staff and students to work with the electronic educational process management system.
- To review and update (if necessary) the existing documents and procedures for determining the regularity, content and modality for conducting anonymous surveys of students and lecturers regarding possible corruption manifestations or risks during the educational process. To clearly define actors that will conduct such surveys. To entrust the coordination of such surveys to anti-corruption commissioners of education institutions. Also, to consider the possibility of involving external experts (in the field of sociology, psychology) in conducting such regular surveys. To determine a clear and understandable procedure for processing and

93. Occupational standard «Anti-Corruption Commissioner»: <https://bit.ly/3MMOQde>

responding to the results of such surveys.

- To produce and distribute easy-to-understand (visualized, schematic, animated, etc) materials about the students' rights in the educational process, which would relate to both the implementation of the curriculum and the protection of rights in problematic situations – current contact details of authorized persons, communication channels, etc).

Recommendations on minimizing the risks associated with admission to higher education institutions

- To introduce an automated system of evaluation and professional entrance tests.
- To publish in advance the evaluation procedure and criteria of the creative competition on the education institutions' information resources. To provide an interpretation of the principles of evaluation for each of the criteria, to clarify (online or offline) for entrants the organization and evaluation of creative competitions.
- To publish on official resources clear and comprehensible requirements regarding the level of knowledge of the Ukrainian language for foreign entrants before admission to preparatory courses.
- To publish on official resources the curricula of preparatory courses on the Ukrainian language and the language exam program for foreign entrants.
- To develop the curricula of preparatory courses and language exam program for foreign entrants on the Ukrainian language using a comprehensive approach: reading (comprehension), oral language (monologue), writing, listening).
- To consider the possibility of video recording the Ukrainian language proficiency exam for foreign entrants.

Recommendations on minimizing the risks associated with student renewal/transfer

- To publish the procedure for elimination of academic debt during student transfer/renewal with a clear definition of the procedure, timeframes, responsible implementers of the university.
- To take into account additional work with students during the elimination of academic debt in the workload of lecturers.
- To inform students in a timely manner about the procedure and opportunities of transfer to budget-funded places, using various channels of information dissemination.

- To strengthen the transparency of the procedure of transfer from the contract to state-funded form of study. For example, by placing the necessary information in a separate tab on the website of education institution: announcement of the competition; number of available budget-funded places; conditions and deadlines for submitting documents; lists of applicants indicating their average and rating scores.
- To introduce electronic examination information and automated student activity registration systems for transparent rating formation.
- To envisage mandatory consideration of candidacies for transfer from the contract to state-funded form of study at the academic councils of departments/institutes with the involvement of student self-governance bodies.

Recommendations on minimizing the risks associated with student assessment

- To maintain the education institution's website and ensure the placement of all necessary information related to the educational process (documents, work programs and syllabi, practical training programs, methodological recommendations for writing and defending term papers, rules and procedures for retaking credits or exams, the procedure for appealing the results of exams).
- Where possible, to implement technological solutions for ensuring current and final control of students' knowledge (for example, anonymous electronic testing with a random set of questions with the student's personal authorization in the system).
- To create an electronic repository of all students' research works, which will allow to automatically identify coincidences in the new works and works of previous years and prevent the possibility of re-submission of the same works «for a bribe».
- To plan the curricula with the involvement of foreigners, especially those who do not speak Ukrainian proficiently, in such a way that it does not create an excessive workload for lecturers and does not create inequality in the assessment between foreign and Ukrainian students.
- To include additional work with foreign students in the workload of lecturers.
- To consider the possibility of ensuring intermediate and final foreign students' knowledge assessment by lecturers that did not conduct relevant classes.

Recommendations on minimizing risks in the field of research activity of higher education institutions

- To the extent possible, to automate the procedure of admission and processing of documents for postgraduate/doctoral programmes applicants. For example, by filling out electronic forms through a centralized automated system.
- To approve and publish early the clear and differentiated criteria for evaluating oral and written answers of applicants to postgraduate/doctoral programmes. Where possible, to introduce electronic examination.
- To introduce an automated system of assessment and conducting entrance exams for postgraduate/doctoral programmes.
- To ensure video recording of defense of dissertations for obtaining a scientific degree and posting of such recordings on the official website of education institutions (with the exception of research works that contain information with restricted access or state secrets).
- To monitor the formation of scientific collections and ensure the technical possibility of tracking changes in the versions of such collections after their approval.

Recommendations on minimizing risks associated with the appointment, transfer, dismissal and promotion of higher education institutions' staff

- To develop separate policies to prevent the conflict of interest of officials, lecturers and staff of the education institution with clarification of the requirements of the Law of Ukraine on Prevention of Corruption and the procedure for the actions of officials in the event of its occurrence.
- To include in the procedure for conducting a competition for filling vacant positions in an education institution the rules for appealing the results of the competition.
- To develop a system of criteria for evaluating the work (rating) of university educators and introduce an annual rating of educators.
- To consider the possibility of including in the rating system a criterion that will be based on the results of an anonymous survey of students regarding the evaluation of the work of each lecturer.

Recommendations on minimizing risks in the field of administrative and economic activities of higher education institutions

- To develop a mechanism for involving anti-corruption commissioners in the evaluation of counterparties of the education institution. For example, the participation of the commissioner in the work of the board or the working group for verification of counterparties.
- To develop (or review the current) internal procurement policy, which should determine the detailed regulation of the rights and responsibilities of the education institution's staff responsible for procurement; a decision-making control system; a mechanism for checking tender documentation for compliance with requirements for counterparties; prevention of the conflict of interest; the subject of procurement; price overestimation, etc. with the involvement of an anti-corruption commissioner; the mechanism of involvement of the anti-corruption commissioner in the evaluation of counterparties.
- To entrust the anti-corruption commissioner with the functions of signing/anti-corruption examination of draft acts (decrees/orders) as well as control and coordination of legal entities subordinate to the higher education institution.
- To place on the institution's official website the requirements for the selection of counterparties for concluding property lease agreements, including the requirements for prevention of the conflict of interest.
- In the case of lease of property for the provision of services related to all or most of the participants in the educational process (meals, printing services, leisure) – to disclose requirements for the quality of such services (price, access to services, etc).
- To place on the institution's website the annual procurement plans and reports on procurements carried out in the corresponding period (semi-annual or annual).
- To involve the anti-corruption commissioner in the monitoring of the procurement plan based on the results of the completion of procurement, which is carried out by the unit of the education institution responsible for compliance with legal regulations governing the procurement.
- To automate the data on the quantity and description of places for accommodation in dormitories and regularly update such data (for example, at the end of each exam period, graduation/enrollment of masters in various majors).
- To consider the possibility of creating an electronic queue system for accommodation in a dormitory or an analogue of such a system, where students will be able to register and see their number in the queue. The privileged categories of students may be in closed lists, while others will only be able to see the total number of reserved places for privileged categories.

Recommendations for minimizing the risks associated with the partnership of higher education institutions with associations of citizens, charitable foundations, national authorities and local governments

- To develop the procedure for the formation and use of charitable donations; to clearly define control measures for the receipt of funds or tangible assets and the format of public reporting on the receipt and use of such funds.
- To develop internal policies for cooperation with political parties and non-governmental organizations, which include provisions on identifying and settlement of the conflict of interest and make a public statement that coercion of students and lecturers to participate in political events is prohibited.

ANNEX 1.

BEST PRACTICES FOR MINIMIZING CORRUPTION RISKS

The described practices were discovered by the research group of the Project during the monitoring of five pilot universities that volunteered to participate: the Admiral Makarov National University of Shipbuilding (Mykolaiv), the National University of Ostroh Academy (Ostroh, Rivne Oblast), the State University of Economics and Technology (Kryvyi Rih, Dnipropetrovsk Oblast), the University of State Fiscal Service of Ukraine (now the State Tax University, Irpin, Kyiv Oblast), and the Vasyl Stus Donetsk National University (Vinnytsia).

In our opinion, the decision of a higher education institution to join such a complex project, which involved anti-corruption training, mutual integration of staff (anti-corruption commissioner, lecturers of legal clinics and other experts) and education seekers, contextual assessment of corruption risks, development and implementation of a plan to minimize them, in itself is one of the most important best practices on the way to preventing corruption in higher education institutions.

At the same time, we managed to investigate both existing best practices and those that were implemented as part of the corruption risk minimization plan after the monitoring.

EXAMPLES OF BEST PRACTICES THAT EXISTED IN HIGHER EDUCATION INSTITUTIONS BEFORE MONITORING

1 Simplification of interaction with students through the establishment of the Student Communication Center

Brief description: since 2018, the university has been implementing the Institute for Students programme, within the framework of which all issues related to interaction with students have been transferred to the Student Communication Center. At the Center, students receive all services related to the educational process, tuition fees, any problematic issues that were previously addressed by the Dean's offices, the personnel department, and the accounting department. The Center's experts work in the «open office» and are not assigned to departments or majors. The Center serves students of all departments on the issuance of certificates, provision of consultations on tuition fees, elimination of academic debt, etc.

University: State University of Economics and Technology (Kryvyi Rih, Dnipropetrovsk Oblast).

Reduction of corruption risks: provision of all services to students in a single unit reduces lecturer/staff member-student interaction and, accordingly, reduces the risk of corrupt mediation by staff during exams and the risk of corruption when issuing certificates, transcripts/sheets, provision of other services to students.

2 Regular electronic anonymous evaluation of the quality of instruction

Brief description: since 2018, the university has implemented an electronic anonymous evaluation system. The system has gone from a Google form, which students filled out after completing the study of the subject, to the use of a full-fledged platform: <https://umsys.com.ua/>.

After the last scheduled class of the course, the students receive a letter to the corporate mailbox with a link to the evaluation. The Education Quality Assurance Department summarizes the answers and sends the summarized results to the relevant units. The lecturer can see the evaluation indicators of their quality of instruction in a personal account on the same platform. The information from the lecturer's evaluation profile is also available to other participants in the educational process.

University: National University of Ostroh Academy (Ostroh, Rivne Oblast).

Reduction of corruption risks: automation of evaluation of the quality of instruction reduces the possibility of formal involvement of lecturers, as well as the level of their

dishonesty and, accordingly, reduces the risk of corruption throughout the entire educational process.

3 Separation of positions of the rector and the chairman of the Academic Council

Brief description: the Academic Council of a higher education institution is a body that makes decisions on key issues of the institution's activities: defining a development strategy, adoption of financial plans and approval of financial reports, etc. Before the adoption of the new version of the Law of Ukraine on Higher Education in 2014, the chairman of the Academic Council had to be exclusively the head of a higher education institution. Under the current legislation, other staff member may be the chairman. This issue is decided by the Academic Council itself.

Universities: Admiral Makarov National University of Shipbuilding (Mykolaiv), National University of Ostroh Academy (Ostroh, Rivne Oblast), Vasyl Stus Donetsk National University (Vinnytsia).

Reduction of corruption risks: separation of powers of the head of a higher education institution and the chairman of the Academic Council of that institution, at least formally, reduces the centralized influence of one person on making important decisions.

4 Introduction of an electronic learning system into the educational process

Brief description: electronic learning (e-learning) is based on information and telecommunication technology. Complex software solutions make it possible to effectively arrange distance learning, ensure automated assessment of both interim (keeping an electronic journal of students' progress, conducting modular work, accepting individual and independent works), and semester control of students' knowledge. The selection of a platform for the introduction of e-learning is part of the autonomy of a higher education institution. In the studied universities, the e-learning is arranged through the following systems: the LMS Moodle platform, Google Classroom, an electronic system for accepting exams Zellus (university's in-house development)).

Universities: National University of Ostroh Academy (Ostroh, Rivne Oblast), Vasyl Stus Donetsk National University (Vinnytsia), State University of Economics and Technology (Kryvyi Rih, Dnipropetrovsk Oblast), University of State Fiscal Service of Ukraine (now the State Tax University, Irpin, Kyiv Oblast).

Reduction of corruption risks: introduction of e-learning system reduces the human factor impact within «lecturer-student» relations; increases the transparency of the educational process and, accordingly, reduces the probability of corruption in the educational process as a whole.

5 Rotation of lecturers during student evaluation

Brief description: a few years ago, the university introduced a system where the lecturers that take final exams are randomly replaced on the eve of the exams. Those are lecturers that do not teach the relevant subject and have not worked with a certain group of students before. They do not evaluate students' knowledge, but only moderate the process (distribute exam cards, encrypt them), while all the cards contain tests, and the checking of such tests is carried out automatically (similar to external independent evaluation). Test assignments for students are given to the lecturers-moderators immediately before the exam.

University: State University of Economics and Technology (Kryvyi Rih, Dnipropetrovsk Oblast).

Reduction of corruption risks: carrying out the final evaluation by «external» lecturers, that is, by those who did not instruct or evaluate students during the course, allows to minimize one of the most common corruption risks in the educational process. Under such an evaluation system, the lecturers have significantly fewer opportunities to violate the principles of academic integrity, for example, to provide correct answers to students in advance.

6 Regulation of the procedure for uploading practical training reports

Brief description: until the 2021-2022 academic year, reports on the completion of various types of practical training during studies were submitted exclusively in paper form to the Dean's office or the relevant department. Potentially, this allowed the use of reports from previous years (by different participants in the educational process, depending on the situation and purpose), since it was almost impossible to «manually» determine the similarity of such reports. In early fall 2022, changes were made to the university regulations on the completion of practical training and all students were required to upload reports through Moodle, which has a built-in option to automatically check the document for plagiarism using the Unicheck system.

At the time of writing this report, the practice has already been introduced and students are uploading their practical training reports through the automated system.

University: National University of Ostroh Academy (Ostroh, Rivne Oblast).

Reduction of corruption risks: mandatory verification of students' practical training reports is a safeguard against the realization of corruption risks both for lecturers or staff of higher education institutions (for example, laboratory assistants) and for education seekers. This procedure significantly complicates the possibility of replacing the report, replacing the cover page, etc.

EXAMPLES OF BEST PRACTICES THAT UNIVERSITIES IMPLEMENTED AFTER THE MONITORING OF CORRUPTION RISKS

1 Inclusion of the anti-corruption component in the development strategy of higher education institutions

Brief description: after conducting the monitoring to determine corruption risks, the university made changes to the institution's development strategy for the next period. Those changes put anti-corruption activities among the priority objectives of the institution.

University: National University of Ostroh Academy (Ostroh, Rivne Oblast).

Reduction of corruption risks: the inclusion of anti-corruption policies in the strategic instruments of the higher education institution contributes to the strengthening of the anti-corruption culture and the culture of integrity of the university. This, in turn, is a basis for the specification of such policies in other internal acts and the introduction of mechanisms for the implementation of specific activities that would help reduce corruption risks.

2 Regular anonymous survey on corruption risks

Brief description: the work plan of the corruption prevention and detection department envisages conducting an anonymous survey at least once every six months. The relevant changes were also made to the internal regulations to envisage conducting an anonymous survey of participants in the educational process regarding the assessment of corruption risks at the university.

University: University of State Fiscal Service of Ukraine (now the State Tax University, Irpin, Kyiv Oblast).

Reduction of corruption risks: the introduction of an anonymous regular survey of participants in the educational process regarding corruption risks makes it possible to promptly identify and respond to such risks, finding ways to minimize them.

3 Ensuring the transparency of the procedure of transferring students from the contract to budget-funded form of study

Brief description: after conducting monitoring to identify corruption risks, the university finalized internal documents that regulate the procedure for transferring higher education seekers from one form of study to another. Accordingly, changes were made, which envisaged the need to disclose the procedure and results of such a transfer on the university's website. For this purpose, a separate tab was created on the website for posting relevant information.

Universities: University of State Fiscal Service of Ukraine (now the State Tax University, Irpin, Kyiv Oblast).

Reduction of corruption risks: the introduction of a transparent system and the disclosure of information about the procedure and actual transfer of students from the contract to the budget-funded form of study ensures more effective control over this process, and therefore reduces the likelihood of occurrence of corruption risks associated with such a transfer.

4 Digitization of academic debt elimination

Brief description: the university introduced an electronic elimination of academic debt. In particular, between exam periods in 2021-2022 academic year, students that were renewing or transferring to other form of study, eliminated academic debt using Google Class, MOODLE and MS Teams. This allows to save the answers of education seekers and make a video recording of the process of taking exams and credits.

University: Vasyl Stus Donetsk National University (Vinnytsia).

Reduction of corruption risks: elimination of academic debt is one of the least regulated processes in the organization of study in higher education institutions. The video recording of taking relevant exams and credits is a control tool to check whether the education seekers have really mastered the subject at the appropriate level, and the lecturer has reasonably graded it. This reduces the level of possible malpractice in this process.

5 Ensuring transparency and compliance of public procurement

Brief description: on the website of the State Tax University, a separate tab «Public Procurement» has been created, where the information about «simplified procedures»,

«contractual procedures», «open tenders» conducted by the education institution is posted. The duty to carry out verification of counterparties during public procurement for potential corruption risks is entrusted to the Committee on Assessment of Corruption Risks and Monitoring of the Anti-Corruption Program.

Also, in February 2022, changes were made to the work plan of the Corruption Prevention and Detection Department, the relevant job descriptions of its staff, and the Anti-Corruption Program for 2022-2024. Now the staff of the Department may carry out random inspection of public procurement processes.

The National University of Ostroh Academy has also prepared an update of the internal procedures for monitoring public procurement. This mechanism envisages the analysis of counterparties by the anti-corruption commissioner in cooperation with the legal department and the procurement officer.

During the preparation of the contract, the anti-corruption commissioner checks the compliance of the contract terms and conditions with the anti-corruption legislation, the legal department and the procurement officer carry out the initial work on writing the contract, analysis of statutory documents, availability of permits and evaluate the essential conditions of signing.

Universities: University of State Fiscal Service of Ukraine (now the State Tax University, Irpin, Kyiv Oblast), National University of Ostroh Academy (Ostroh, Rivne Oblast).

Reduction of corruption risks: access to information on public procurement carried out by the higher education institution, due verification of its counterparties, allows to prevent potential malpractice in the university property management, procurement from fictitious counterparties or procurement of unnecessary goods, or procurement at understated or overstated prices, etc.

6 Digitization of practical training

Brief description: a separate tab has been created on the university's website, which contains information about the education institution's contracts with various organizations or companies, where the students may complete practical training. This information allows students to freely choose the most desirable option and avoid situations where an improper benefit may be demanded for a recommendation on completion of practical training with certain stakeholder.

Universities: Admiral Makarov National University of Shipbuilding (Mykolaiv).

Reduction of corruption risks: the opportunity for students to freely and transparently choose the base for practical training will help to avoid additional corruption risks associated with placement with a certain, more attractive stakeholder.

7 Regulation of foreign students' study

Brief description: from July 1, 2022, the National University of Ostroh Academy will introduce a comprehensive Ukrainian language exam for foreign students. The requirements for the admission of foreign students have been posted on the website of the National University of Ostroh Academy, and by July 1, 2002, the curricula of Ukrainian language courses and the program of the language exam for foreign entrants will be posted. Criteria for accounting for lecturers' workload will also be added, taking into account additional work with foreign students, in particular regarding additional clarification and advisory support.

University: National University of Ostroh Academy (Ostroh, Rivne Oblast).

Reduction of corruption risks: a comprehensive approach to informing about the conditions of study for foreign students and rate setting with regard to remuneration and workload of lecturers that work with such students will help to avoid potential corruption risks, in particular, admission to studies, grading in exchange for improper benefits.

8 Electronic system of accommodation in dormitories

Brief description: from July 1, 2023, it is planned to introduce a system of electronic queue for accommodation in the dormitory, which will contain data on the number of places and their description, with regular updates of such data. The students will have the opportunity to register in the system and receive their sequence number in the queue. As for the privileged categories of students, the possibility of being on «closed lists» is envisaged, while other users will see only the total number of reserved places for the privileged categories.

University: National University of Ostroh Academy (Ostroh, Rivne Oblast).

Reduction of corruption risks: the introduction of an electronic system for accommodation in dormitories will not only simplify this process and make it more convenient for potential residents, but will also help to eliminate a number of corruption risks associated with obtaining accommodation permits, «advancement» in the queue, etc.



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