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## SYNTHESIS OF ISSUES AND PROPOSITIONS ON IMPROVEMENT OF LEGAL FRAMEWORK OF THE CYCLE 3 PROGRAMS IN UKRAINE

### General objectives of Cycle 3 programs:

- development of the system of scientific knowledge (in different fields and cross-disciplinary space) as a basis of innovation-driven growth;
- study of academic staff;
- study of a brainpower for business and authorities.

### Issues and propositions on the regulatory framework:

Salzburg principle	Regulatory field	Current steps and regulation undertaken by <sup>1</sup>			Issue	Proposition for improvement
		Student	University/ Research Institute	MESU <sup>2</sup>		
1. The core component of doctoral training is the advancement of knowledge through original research. At the same time, it is recognized that doctoral training must increasingly meet the needs of an employment market that is wider than academia.	Full-function national QA body	x	x	1. The election committee of staff collection for National Agency for Quality Assurance in Higher Education (hereinafter – NAQAHE) was approved on 31 January 2018. 2. The election process is under arranging	The current staff of the NAQAHE is illegitimate, because of changes to the Law of Ukraine “On Education” <sup>3</sup> dated on 05-09-2017	To recast the NAQAHE staff under the election procedure

<sup>1</sup> There no Supreme Certifying Commission in Ukraine, so we skip this column of the recommended form of the analysis of issues and propositions on improvement of legal framework of the cycle 3 programs in Ukraine

<sup>2</sup> MESU - Ministry of Education and Science of Ukraine

<sup>3</sup> On Education: Law of Ukraine #2145-VIII dated on 05 September, 2017. Available in Ukrainian at: <http://zakon2.rada.gov.ua/laws/show/2145-19>



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	Set up the list of requirements to EQA in Higher Education (herein-after – HE) <sup>4</sup>	x	The recommendations are developed. They are used for development of IQA in HEIs	<ol style="list-style-type: none"> <li>1. The current guidance are elaborated under the previous regulatory framework on Cycle 3 studies;</li> <li>2. There are some drafts of the guidance, how to provide EQA under the current regulatory framework</li> </ol>	The lack of sublegislative guidance on the matter of EQA in HE, because of incapability of NAQAHE staff	<ul style="list-style-type: none"> <li>– To recast NAQAHE staff;</li> <li>– to develop quality criteria of Higher Education Institution’s (HEI) activities;</li> <li>– to develop the Regulation on Cycle 3 programs’ accreditation;</li> <li>– to develop the list of requirements for obtaining the academic degree;</li> <li>– to develop list of requirements to supervisors of Ph.D candidates;</li> <li>– to develop the guidance of awarding an academic degree by the Specialized Academic Council (SAC)</li> </ul>
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<sup>4</sup> According to the Law of Ukraine “On Higher Education” it must be done by the NAQAHE.

On Higher Education: Law of Ukraine # 1556-VII dated on 01 July, 2014. Available in Ukrainian at: <http://zakon3.rada.gov.ua/laws/show/1556-18>



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	Control over originality of thesis research	Development of the original research under the risk of refusal from awarding the PhD degree in the case of plagiarism	Peer review of current results of PhD research by a follow-up committee, SAC members, 2 independent reviewers	<ol style="list-style-type: none"> <li>1. Peer review of the defended thesis by the members of the Expert Chamber of the MESU;</li> <li>2. The Concept National Repository of Academic Texts (NRAT) was approved on 19 July 2017<sup>5</sup>; the Draft of Regulation on NRAT operating is developed. It is under the discussion now.</li> <li>3. The Memorandum on cooperation between MESU and Plagiat.pl is signed on 23 February 2018. It lets provide the Ukrainian HEIs with temporary free access to the capacities to check the PhD thesis for plagiarism.</li> </ol>	Restricted (as regards a capacities' adequacy, a scope of academic texts and a fee) access to the entirety of academic data and relevant software to bring the plagiarism to light	<ul style="list-style-type: none"> <li>– To approve the Regulation on NRAT;</li> <li>– to develop the Internal procedures of the NRAT Administrator operating.</li> </ul>
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<sup>5</sup>The Concept National Repository of Academic Texts: approved by the Decree of Cabinet of Ministers of Ukraine #541 dated on 19 July, 2017. Available in Ukrainian at: <https://www.kmu.gov.ua/ua/npas/250156682?=-print>



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			Peer review of scientific articles, submitted for publication in the University's / University Partners' Journals. Control of meeting the requirements on testing the results of PhD research through the publications in peer reviewed journals by PhD students.	There is a requirement to publish the results of PhD research in peer reviewed journals, enlisted by the MESU, as well as the journals, included into scientometric databases, two of which (SCOPUS and Web of Science) are recommended by the MESU	There are many other (besides SCOPUS and Web of Science ) respectable scientometric databases, which are specialized on the certain fields of study (e.g. Econpapers for Economists). MESU decision on recommendation of only 2 scientometric databases restricts the publishing activities of PhD students, especially in the light of rather high prices for publications in the journals, enlisted in the recommended databases.	<ol style="list-style-type: none"> <li>1. To enrich the list of the MESU recommended scientometric databases for publishing the results of PhD research (inter alia narrow focused ones for distinct fields of study);</li> <li>2. To create National Scientometric Database on the base of NRAT and to promote it at the international level to get all the ratings of modern lead scientometric databases.</li> </ol>
2. Embedding in institutional strategies and policies: universities as institutions need to assume responsibility for ensuring that the doctoral programmes and research training they offer are designed to meet new challenges and include appropriate professional career development opportunities	Licensing of Cycle 3 programs in the fields of immediate interest of scientific society and the business	x	HEI develops Cycle 3 programs, fills in the application form for licensing of certain Cycle 3 program	MESU licenses Cycle 3 programs	Imperfect correspondence of the list of specialties, approved by the MESU, to business needs	The NAQAHE start will deal with this, as there is a legislative requirement to include at least 3 representatives of Employers' Associations as NAQAHE members, as well as the recommendation to include the business representatives to the Expert Councils in each scientific field. Their responsibility is to assure the correspondence of Cycle 3 programs to business needs



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	Ratification of PhD thesis topic	Development of the thesis topic and its submitting for approving to a supervisor, a follow-up committee, Expert Board and Academic Council of the HEI	Peer review of thesis topic, its ratification	x	Insufficient correlation of PhD researches with the business needs	To provide the obligation on consulting with the business entities, or state authorities, or professional non-government organizations, which are the partners of a Cycle 3 program, on the topic of PhD research.
3. The importance of diversity: the rich diversity of doctoral programs in Europe – including joint doctorates – is a strength which has to be underpinned by quality and sound practice.	Providing joint doctorates with foreign HEIs	Participate in competitive admission for participation in Joint Cycle 3 programs	x	MESU signs the country-to-country agreements in the sphere of HE	There no clear procedures of licensing and accreditation of joint Cycle 3 programs with foreign HEIs, no rules of cooperation between the HEIs within a joint doctoral program, no rules, how to report on the results of its operation, etc	To develop clear procedures of licensing and accreditation of joint Cycle 3 programs with foreign HEIs, as well as the rules of cooperation between the HEIs within a joint doctoral program, the rules, how to report on the results of its operation.
	Providing joint doctorates for Ukrainian HEIs and Research Entities <sup>6</sup>		Concluding of the agreements on joint doctorates; arranging of procedures of competitive admission; performing the Joint Cycle 3 programs.	Licensing of Joint Cycle 3 programs	There still no procedure of accreditation of Cycle 3 programs	To develop the procedure of accreditation of Cycle 3 programs, inter alia joint ones.

<sup>6</sup> Provided by para 4 of The Regulations on the Procedure of Studying of PhD Candidates and Candidates of Doctor of Science. Approved by the Decree of Cabinet of Ministers of Ukraine #261 of 23 March, 2016. Available in Ukrainian at <http://zakon3.rada.gov.ua/laws/show/261-2016-%D0%BF>



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<p>4. Doctoral candidates as early stage researchers: should be recognized as professionals – with commensurate rights - who make a key contribution to the creation of new knowledge.</p>	<p>Access of PhD students to the publication opportunities, participation in scientific and practical conferences, seminars, etc.</p>	<p>Conduct research, submitting publications, applying for participation in conferences</p>	<p>Hosting conferences, issuing scientific journals</p>	<p>MESU provides with requirements on the number and quality of publications, the list of journals and scientometric databases, to be credited for successful graduate from Cycle 3 program</p>	<p>As it was mentioned above, the problem is that MESU narrows the list of recommended scientometric databases up to two ones: SCOPUS and Web of Science, which are less accessible for young researches because of high level of competition with respectable and well-known elder scientists and the high price of publications as well</p>	<ol style="list-style-type: none"> <li>1. To enrich the list of approved scientometric databases for publishing the results of PhD research (inter alia narrow focused ones for distinct fields of study);</li> <li>2. To create National Scientometric on the base of NRAT and to promote it at the international level to get all the ratings of modern lead scientometric databases.</li> <li>3. To develop a mechanism and procedures of grant funding and state budget funding of PhD students' publications in the journals, which are indexed in Scopus and WoS.</li> </ol>
	<p>Involvement of PhD students to adjacent scientific researches</p>	<p>Applying for participating in the adjacent scientific researches, conducted by elder colleagues, as well as grant financed researches of young scientists</p>	<p>PhD students (as junior researches) are widely involved into the current scientific researches of HEIs.</p>	<p>MESU put the requirements to PhD students to test the results of his/ her research through the participation in adjacent scientific researches with elder colleagues. It also put the requirements to the coordinators of scientific researches to involve PhD students to the research team. The grant program for young scientists is established. It benefits up to 200 young scientists a year.</p>	<p>Decreasing the state financing of scientific researches.</p>	<p>To assure state funding of fundamental scientific researches. As for the applied ones, to advocate the replacement of public ordered researches by private ones through promoting development of mandatory courses for PhD students on how to deal with private scientific grants: domestic and international ones.</p>
<p>5. The crucial role of</p>	<p>Establishment of</p>	<p>Signing the contract between a PhD student and a</p>	<p>x</p>	<p>Inconsistence of current</p>	<p>To involve the supervisor as</p>	



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supervision and assessment: in respect of individual doctoral candidates, arrangements for supervision and assessment should be based on a transparent contractual framework of shared responsibilities between doctoral candidates, supervisors and the institution (and where appropriate including other partners).	contractual system of PhD studies <sup>7</sup>	HEI, where all the rights and liabilities are set.			legislative requirements with the relative Salzburg Principle	a party of a three-side contract between a PhD student, a supervisor and a HEI.
	Institutionalization of planning of PhD students' work and the control of an accomplishment of the plan <sup>8</sup>	Development of the individual working plans; their accomplishment.	Approval of PhD students' individual working plans, the control over their accomplishment.	MESU put the requirements to a scientific qualification of PhD graduates, which are used as the criteria of a control over the process of accomplishment of PhD students' individual plans.	Cycle 3 programs under-performance (the average rate of graduates, who defends a thesis successfully and timely in Ukraine is about 26% <sup>9</sup> )	To put the requirement to assess the progress in PhD studies twice a year (It has been already introduced in KNUTE and KhNEU that helps to increase crucially the rate of successful graduates from Cycle 3 programs)
6. Achieving critical mass: Doctoral programmes should seek to achieve critical mass and should draw on different types of innovative practice being introduced in universities across Europe, bearing in mind that different solutions may be appropriate to different contexts and in particular across larger and smaller European	Providing a wide specialization of Doctoral Schools	x	Launch of the Cycle 3 programs within the specialties, which are assured with relevant resources, first of all human resources. Development of employment policy, oriented the recruitment of highly-qualified academic personnel.	Licensing of Cycle 3 programs		
	Recruitment of outside scientists and businessmen (on regular or sporadic basis) to compose the varia-	Attending the scientific and educational events, delivered by the invited lecturers, within	Organization of the process of outside scientists' and businesspersons' recruitment to deliver lectures to PhD students, as well as to exchange the experience.	x	The need to increase the correlation between the content of PhD studies and the business needs for the PhD graduates with certain kind of competences.	Promotion of engaging of outside scientists and businessmen to the educational component of Cycle 3 studies through including the indicators of such an activi-

<sup>7</sup> Provided by para 5 of The Regulations on the Procedure of Studying of PhD Candidates and Candidates of Doctor of Science Approved by the Decree of Cabinet of Ministers of Ukraine #261 of 23 March, 2016. Available in Ukrainian at <http://zakon3.rada.gov.ua/laws/show/261-2016-%D0%BF>

<sup>8</sup> Provided by para 10 of The Regulations on the Procedure of Studying of PhD Candidates and Candidates of Doctor of Science Approved by the Decree of Cabinet of Ministers of Ukraine #261 of 23 March, 2016. Available in Ukrainian at <http://zakon3.rada.gov.ua/laws/show/261-2016-%D0%BF>

<sup>9</sup> Doctorate studies // Official web-site of the State Statistic Service of Ukraine. Available in Ukrainian at : [http://ukrstat.org/uk/druk/publicat/kat\\_u/publosvita\\_u.htm](http://ukrstat.org/uk/druk/publicat/kat_u/publosvita_u.htm)



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countries. These range from graduate schools in major universities to international, national and regional collaboration between universities.	ble educational component of Cycle 3 programs	the Cycle 3 program schedule.			The KNUTE experience testify the effectiveness of this way.	ty to the range of criteria of Cycle 3 programs assessment, as well as criteria of institutional assessment of a HEI.
7. Duration: doctoral programmes should operate within appropriate time duration (three to four years full-time as a rule).	The duration of the current Cycle 3 programs is 4 years <sup>10</sup>	Enter the program	Development of 4-years' Cycle 3 program	Licensing of Cycle 3 programs		
	Introduction of the educational component of Cycle 3 program, measured up to 60 ECTS credits.	Mastering of educational component of a Cycle 3 program, composition of its variable part.	Development of educational component of Cycle 3 programs, their staffing, scientific, educational and methodological assurance.			
8. The promotion of innovative structures: to meet the challenge of interdisciplinary training and the development of transferable skills	Providing the appropriate variability of educational component of Cycle 3 programs	To pick the set of variable courses, which is relevant to profile of PhD student research	Development of the wide range of variable educational courses for any need of PhD students, as well as for creation of interdisciplinary competences.	x		
	Reviewing the results of PhD research by academic staff from adjacent (not the same) scientific schools / fields (interdisciplinary reviewing)	Conducting of a PhD research on interdisciplinary basis	Putting requirement of interdepartmental discussion and review of thesis results by many Ukrainian HEIs (inter alia KNUTE), notwithstanding the lack of such compulsory requirement by the MESU	x		

<sup>10</sup> According to the art. 5 of the Law of Ukraine "On Higher Education" # 1556-VII dated on 01 July, 2014. Available in Ukrainian at: <http://zakon3.rada.gov.ua/laws/show/1556-18>





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						plinary thesis.
9. Increasing mobility: Doctoral programs should seek to offer geographical as well as interdisciplinary and intersectoral mobility and international collaboration within an integrated framework of cooperation between universities and other partners.	Exchange of PhD students under international mobility programs and bilateral agreements	Participating in competitive admission procedures under the mobility programs	Participating in international mobility programs. Concluding of bilateral agreements, which includes the mobility component. Performance of the exchange projects.	x	The current programs of PhD students' mobility are out of scale now.	1. To develop the national regulation on PhD students mobility 2. To elaborate the mechanism of promoting the existing mobility projects.
	Exchange of academic staff under international mobility programs and bilateral agreements	x		MESU put the requirement of international scholarship as the compulsory criterion of obtaining of the academic title	The compulsory status of international scholarship restrict the career development opportunities for Ukrainian scientists as the number of accessible grants is insufficient, while the price of such a scholarship is rather big, comparing to average wage of academics.	To remove the regulatory obligation on international scholarship as the criterion of obtaining the academic title of associate professor, but save it for academic title of professor, on the one hand and to elaborate the mechanism of promoting the existing mobility projects on the other hand.
10. Ensuring appropriate funding: the development of quality doctoral programmes and the successful completion by doctoral candidates requires appropriate and sustainable funding.	The procedure of Cycle 3 programs' financing with the resources of state budget	x	Development and submitting a request for budget financing of Cycle 3 programs for the next year; Cycle 3 programs performance.	Allocation of the government order for Cycle 3 programs		To develop a clear regulation on the principles and mechanisms of government order for Cycle 3 programs allocation
	The procedure of Cycle 3 programs' financing with the resources private entities	Looking for the investor and concluding the agreement with him to cover the cost of a certain PhD student study	Organization of relative procedures of competitive admissions to enter the Cycle 3 program; Cycle 3 programs performance.	x	Mostly the PhD students invest their own money to cover the costs of PhD study, while there are only few cases of corporate financing of PhD researches.	To develop professional doctorates concept.
	The procedure of Cycle 3 programs' financing under an international grants	Participation to competitive admission procedures of getting the grant		x	There are only few cases of financing the PhD study with the international grants	1. To develop the financial mechanisms of stimulating the international scientific foundations to invest in the Ukrainian Cycle 3 programs; 2. To launch the regular meetings between representatives of international



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